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SALUS POPULI SUPREMA LEX ESTO

“The welfare of the people shall be the supreme law.”



ROBIN CARNAHAN
SECRETARY OF STATE

MISSOURI
REGISTER

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Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—The most recent version of the statute containing the section number and the date.

Rules appearing under this heading are filed under the authority granted by section 536.025, RSMo 2000. An emergency rule may be adopted by an agency if the agency finds that an immediate danger to the public health, safety or welfare, or a compelling governmental interest requires emergency action; follows procedures best calculated to assure fairness to all interested persons and parties under the circumstances; follows procedures which comply with the protections extended by the *Missouri* and the *United States Constitutions*; limits the scope of such rule to the circumstances creating an emergency and requiring emergency procedure, and at the time of or prior to the adoption of such rule files with the secretary of state the text of the rule together with the specific facts, reasons and findings which support its conclusion that there is an immediate danger to the public health, safety or welfare which can be met only through the adoption of such rule and its reasons for concluding that the procedure employed is fair to all interested persons and parties under the circumstances.

Rules filed as emergency rules may be effective not less than ten (10) days after filing or at such later date as may be specified in the rule and may be terminated at any time by the state agency by filing an order with the secretary of state fixing the date of such termination, which order shall be published by the secretary of state in the *Missouri Register* as soon as practicable.

All emergency rules must state the period during which they are in effect, and in no case can they be in effect more than one hundred eighty (180) calendar days or thirty (30) legislative days, whichever period is longer. Emergency rules are not renewable, although an agency may at any time adopt an identical rule under the normal rulemaking procedures.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 405—Homestead Preservation Credit**

EMERGENCY RULE

12 CSR 10-405.100 Homestead Preservation Credit—Procedures

***PURPOSE:** This rule establishes the procedures for implementation of the Homestead Preservation Credit created by section 137.106, RSMo.*

***EMERGENCY STATEMENT:** This regulation explains the procedures for applying for the Homestead Preservation Credit. The application period for this credit is set by statute to begin April 15, 2005. The Department of Revenue finds a compelling governmental interest in ensuring that the public is fully and timely advised of the procedures that will apply to their applications, prior to the April 15, 2005 application period, which requires this emergency action. A proposed rule covering the same subject matter will be published concurrently with this emergency rule. The scope of this emergency rule is limited to the circumstance creating the emergency, which is the need for application procedures prior to the April 15, 2005, application period; and complies with the protections extended in the *Missouri* and *United States Constitutions*. By allowing for full and timely notice to the public of the application procedures, the Department of Revenue believes this emergency rule is fair to all interested persons under the circumstances. If the emergency rule is not enacted procedures will*

not be available to members of the general public in order to apply for the credit when the application period begins on April 15, 2005. This emergency rule filed March 10, 2005, effective March 20, 2005, and expires September 15, 2005.

(1) Definition of Terms.

(A) Application year—the calendar year in which the application for property tax credit is filed.

(B) Assessor—the county assessor for the county in which the homestead is located.

(C) Credit year—the calendar year immediately following the application year.

(D) Department—the Missouri Department of Revenue.

(E) Homestead—the dwelling in Missouri owned and occupied by a taxpayer and up to five (5) acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. The dwelling may be a mobile home.

(F) Homestead Preservation Credit—the credit provided pursuant to section 137.106, RSMo.

(G) Levy codes—the nine (9)-digit number used by the Missouri state auditor in the annual property tax compliance report.

(H) Prior year—the calendar year immediately preceding the application year.

(I) Homestead exemption limit—a single, statewide percentage increase in property tax liability from the prior year to the credit year.

(J) Verified eligible owners—taxpayers who have met the qualifications for the Homestead Preservation Credit.

(2) Application of Rule.

(A) A taxpayer must complete an application on the form prescribed by the department. The taxpayer must obtain from the assessor the information the assessor is required to provide on the form. The taxpayer must submit the properly completed application to the department between April 1 and September 30 of the application year. An application postmarked on or before September 30 is timely.

(B) Upon presentation by the taxpayer, the assessor must complete the portion of the application designated for completion by the assessor using the levy codes applicable to the homestead. If an application is presented to the assessor for completion before the assessor has all the information necessary to complete the application, the assessor may hold the application until the information is available and forward the application to the department when it is completed. If the assessor elects to hold the application and forward it to the department, the assessor must submit the properly completed application to the department between April 1 and September 30 of the application year or the application will be denied.

(C) Upon receipt of the application, the department will determine if the taxpayer is a verified eligible owner. The department must provide a list of all verified eligible owners to the county collectors, or in township counties, the county clerk, by December 15 of the application year. By January 15 of the credit year, the collectors or township clerks must provide the department with a list of verified eligible owners who failed to pay property taxes due for the application year, which owners shall be disqualified from receiving property tax credit in the current tax year. If a collector, or a clerk in a township county, is unable to provide this information to the department by January 15 of the credit year, the collector or clerk must provide the information as soon as possible and in no event later than April 1 of the credit year.

(D) The Department of Revenue will calculate the level of appropriations necessary to set the homestead exemption limit for all verifiable homestead owners as follows:

1. In odd application years, the appropriation amount will be the total of all levy amounts for the application year that exceed a five

percent (5%) increase from the prior year's levy on each qualifying homestead property, plus one-quarter of one percent (1/4 of 1%) of the total; and

2. In even application years, the appropriation amount will be the total of all levy amounts for the application year that exceed a two and one-half percent (2.5%) increase from the prior year's levy on each qualifying property, plus one-quarter of one percent (1/4 of 1%) of the total.

(E) The department will provide the appropriation calculation to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Director of the Office of Budget and Planning by January 31 of the credit year. The department will provide an updated calculation, if necessary, no later than April 10 of the credit year.

(F) If funds are appropriated for the Homestead Preservation Credit, the department will set the homestead exemption limit by July 31 of the credit year. If no appropriation is made, then no Homestead Preservation Credit shall apply in that year.

(G) After setting the homestead exemption limit, the department will calculate the credit, if any, applicable to each verified eligible owner. By August 31 of the credit year, the department will send to county collectors and township county clerks:

1. A list of verified eligible owners;
2. The amount of each credit;
3. The certified parcel number of the homestead; and
4. The address of the homestead property.

(H) The department will instruct the state treasurer to distribute the appropriation to the collector's fund in each county to exactly offset the homestead exemption credit being issued, plus one-quarter of one percent (1/4 of 1%) to the county assessment fund. The funds shall be forwarded to the collectors and clerks of township counties by October 1 of the credit year.

(I) In the event an applicant dies or transfers ownership of the homestead property after application but prior to the mailing of the tax bill in the credit year, the credit is void and any money allotted for a credit on the property tax for that property lapses to the state to be credited to the general revenue fund.

AUTHORITY: section 137.106, RSMo Supp. 2004. Emergency rule filed March 10, 2005, effective March 20, 2005, expires Sept. 15, 2005. A proposed rule covering this same material is published in this issue of the Missouri Register.

Title 12—DEPARTMENT OF REVENUE

Division 10—Director of Revenue

Chapter 405—Homestead Preservation Credit

EMERGENCY RULE

12 CSR 10-405.200 Homestead Preservation Credit—Qualifications and Amount of Credit

PURPOSE: Section 137.106, RSMo provides a credit on property taxes under certain circumstances. This rule describes the requirements to qualify for this credit and the amount of the credit.

EMERGENCY STATEMENT: This regulation explains the qualification criteria for the Homestead Preservation Credit. The application period for this credit is set by statute to begin April 15, 2005. The Department of Revenue finds a compelling governmental interest in ensuring that the public is fully and timely advised of the standards that will apply to their applications, prior to the April 15, 2005 application period, which requires this emergency action. A proposed rule covering the same subject matter will be published concurrently with this emergency rule. The scope of this emergency rule is limited to the circumstance creating the emergency, which is the need for qualification standards prior to the April 15, 2005, application period;

and; and complies with the protections extended in the Missouri and United States Constitutions. By allowing for full and timely notice to the public of the qualification standards, the Department of Revenue believes this emergency rule is fair to all interested persons under the circumstances. If the emergency rule is not enacted members of the public will not be able to determine whether or not they qualify for the credit until after the credit application period begins on April 15, 2005. This emergency rule filed March 10, 2005, effective March 20, 2005, and expires September 15, 2005.

(1) In general, individuals who are at least sixty-five (65) years old on January 1 of the year of application and disabled individuals may receive a credit on their property taxes for their homesteads if those taxes increase more than two and one-half percent (2.5%) in an even numbered year or five percent (5%) in an odd numbered year and the individual's federal adjusted income does not exceed the statutory limit. The amount of the credit is determined by the amount the General Assembly appropriates to fund the credit.

(2) Definition of Terms.

(A) Disabled individual—an individual who is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve (12) months.

(B) Homestead—the dwelling in Missouri owned and occupied by a taxpayer and up to five (5) acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. The dwelling may be a mobile home.

(C) Homestead Preservation Credit—the credit provided pursuant to section 137.106, RSMo.

(D) Maximum upper limit—for applications filed in calendar year 2005, seventy thousand dollars (\$70,000). For later calendar years, the maximum limit will be increased by a percentage equal to the percentage increase since 2005 in the general price level, as defined pursuant to Article X, Section 17 of the Missouri Constitution.

(E) Property tax credit—the credit provided pursuant to sections 135.010–135.035, RSMo.

(3) Application of Rule.

(A) To qualify for the Homestead Preservation Credit, a taxpayer must fit one (1) of the following descriptions:

1. The taxpayer is at least sixty-five (65) years old on January 1 of the year of application or one hundred percent (100%) disabled and owns the homestead in the taxpayer's name only;

2. The taxpayer is at least sixty-five (65) years old on January 1 of the year of application and owns the homestead jointly with a spouse and the spouse is at least sixty (60) years old on January 1 of the year of application; or

3. The taxpayer owns the homestead jointly with a spouse and either the taxpayer or the spouse is one hundred percent (100%) disabled.

(B) To qualify for the Homestead Preservation Credit, the taxpayer's federal adjusted gross income for the tax year preceding the year of application must be equal to or less than the maximum upper limit. If the homestead is owned jointly with a spouse, the joint federal adjusted gross income of the taxpayer and spouse must be equal to or less than the maximum upper limit.

(C) To qualify for the Homestead Preservation Credit, the taxpayer's property tax liability for the homestead, not including any increase due to improvements to the homestead, must increase from the year preceding the application year to the application year by more than two and one-half percent (2.5%) for applications filed in even numbered years or by more than five percent (5%) in odd numbered years.

(D) To qualify for the Homestead Preservation Credit, the taxpayer must have owned and paid property tax in full, including any interest and penalty, on the homestead for the two (2) calendar years prior

to application, and must continue to own it during the year of application and the following year. The taxpayer must pay the property tax in full on the homestead for the year of application by December 31.

(E) The taxpayer does not qualify for the Homestead Preservation Credit if the taxpayer owns the homestead jointly with anyone other than a spouse or the homestead is owned by a trust for the benefit of the taxpayer. A title that provides that the homestead transfers to another on death does not disqualify a taxpayer.

(F) The taxpayer does not qualify for the Homestead Preservation Credit if the assessed value of the homestead increased by more than five percent (5%) due to improvements made in the calendar year prior to application.

(G) A taxpayer who properly claims a property tax credit for the tax year preceding the year in which the application for the Homestead Preservation Credit is filed is disqualified from receiving the Homestead Preservation Credit.

(H) The amount of the credit is the amount by which the increase in the taxpayer's liability from the year preceding the application to the application year, exclusive of any increase due to improvements to the homestead, exceeds a single, statewide percentage increase calculated to use all but one-fourth of one percent ($1/4$ of 1%) of the amount appropriated by the General Assembly to fund the credit.

(I) The credit is calculated annually based on the increase in liability between the application year and the prior year and does not carry forward to future years.

(4) Examples:

(A) Taxpayer is 65 years old and his wife is 60 years old. The taxpayers are eligible for the Homestead Preservation Credit if they meet the other eligibility criteria.

(B) Taxpayer is 65 years old, but his wife is 55 years old and totally disabled. The taxpayers are eligible for the Homestead Preservation Credit if they meet the other eligibility criteria.

(C) Taxpayer is single and 60 years old. He is totally disabled. Taxpayer is eligible for the Homestead Preservation Credit if he meets the other eligibility criteria.

(D) Taxpayer owns his home jointly with his wife. Their federal adjusted gross income is \$69,000. The taxpayers are eligible for the Homestead Preservation Credit if they meet the other eligibility criteria.

(E) Taxpayer owns his home as an individual. His federal adjusted gross income is \$40,000. His wife's federal adjusted gross income is \$35,000. Taxpayer is not eligible for the Homestead Preservation Credit because the joint federal adjusted gross income exceeds the maximum upper limit of \$70,000.

(F) Taxpayers purchased their home after January 1 two years before the application year. They are not eligible for the Homestead Preservation Credit.

(G) Taxpayers have owned their home for ten years, but they no longer live there. They are not eligible for the Homestead Preservation Credit.

(H) Taxpayers live in a home that is titled in a trust for their benefit. They are not eligible for the Homestead Preservation Credit.

(I) Taxpayer owns his home jointly with his grown daughter. Taxpayer is not eligible for the Homestead Preservation Credit.

(J) Taxpayer owns a life estate in her home, and her son has a right of survivorship. Taxpayer is eligible for the Homestead Preservation Credit if she meets the other eligibility criteria.

(K) Taxpayers own two homes and spend equal time living in each. The taxpayers can claim the Homestead Preservation Credit for only one home which they have designated as their "homestead."

(L) Taxpayers rent their house. They are not eligible for the Homestead Preservation Credit.

(M) Taxpayer's home is located on a ten-acre lot. Taxpayer can only claim the Homestead Preservation Credit for his house and up to five acres around the house that are used for residential purposes.

(N) Taxpayer has owned and occupied a mobile home for ten years. Taxpayer is eligible for the Homestead Preservation Credit if taxpayer meets the other eligibility criteria.

(O) Taxpayers have paid taxes for the past ten years on their home, but last year they paid the taxes late. They paid all penalties and interest due on the late payment. They are eligible for the Homestead Preservation Credit if they meet the other eligibility criteria.

(P) Taxpayers' tax levy increased four percent in a reassessment year. They are not eligible for a Homestead Preservation Credit because the difference in the property tax levy in a reassessment year must exceed five percent.

(Q) Taxpayers' property taxes increased four percent in a non-reassessment year. Taxpayers are eligible for a Homestead Preservation Credit if they meet the other eligibility criteria because the difference in the property tax levy in a non-reassessment year must exceed two and one-half percent.

(R) Taxpayers' home is valued at \$60,000. In the past year they made improvements totaling \$8,000. Taxpayers are not eligible for the Homestead Preservation Credit because the value of the improvements exceeds five percent of the value of the home.

(S) Taxpayers have applied and qualify for the property tax credit pursuant to sections 135.010 to 135.035, RSMo. They are not eligible for the Homestead Preservation Credit based on the same property tax assessment.

(T) Taxpayer lives in the homestead and his wife lives in a nursing home. They cannot apply for both the Homestead Preservation Credit on the jointly owned home and the property tax credit under sections 135.010 to 135.035, RSMo, on the rental amount of the nursing home.

(U) Taxpayers are eligible for a \$100 Homestead Preservation Credit, but the General Assembly did not appropriate funding for the Homestead Preservation Credit. Taxpayers do not receive a Homestead Preservation Credit for the credit year.

(V) Taxpayer is eligible for a \$100 Homestead Preservation Credit, but the General Assembly only appropriates fifty percent of the money required to fund the credit. Taxpayer will receive a reduced Homestead Preservation Credit for the credit year based on the amount appropriated.

AUTHORITY: section 137.106, RSMo Supp. 2004. Emergency rule filed March 10, 2005, effective March 20, 2005, expires Sept. 15, 2005. A proposed rule covering this same material is published in this issue of the Missouri Register.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 110—Fees**

EMERGENCY RESCISSION

13 CSR 40-110.020 Federal Income Tax Refund Offset Fee. This rule defined how the Family Support Division would collect a fee from custodians for whom the division submitted past-due child and spousal support debts for collection through the federal income tax refund offset program in a IV-D, nonpublic assistance case.

PURPOSE: This rule is being rescinded so a fee for a tax intercept will not be collected from the custodian.

EMERGENCY STATEMENT: The division has determined that an emergency rescission is necessary. The division finds an immediate danger to the health, safety and welfare to the citizens of Missouri. The division finds that this emergency rescission is necessary to preserve a compelling governmental interest in maintaining the quality of life for children in Missouri. A proposed rescission, which covers the same material, is published in this issue of the Missouri Register. The scope of this emergency rescission is limited to circumstances

*creating the emergency and complies with the protections extended in the **Missouri and United States Constitutions**. The division believes the emergency rescission is fair to all interested persons and parties under the circumstances. This emergency rescission was filed March 17, 2005, effective March 30, 2005, expires September 25, 2005.*

***AUTHORITY:** section 454.400.2(5), RSMo 2000. Original rule filed Sept. 10, 2004, effective March 30, 2005. Emergency rescission filed March 17, 2005, effective March 30, 2005, expires Sept. 25, 2005. A proposed rescission covering this same material is published in this issue of the **Missouri Register**.*

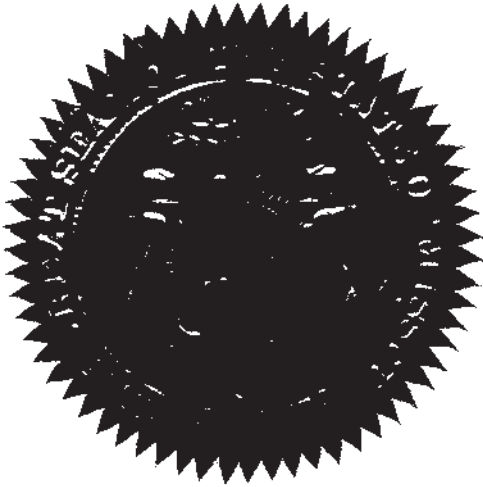
The Secretary of State shall publish all executive orders beginning January 1, 2003, pursuant to section 536.035.2, RSMo Supp. 2003.

EXECUTIVE ORDER 05-12

WHEREAS, Section 105.454(5), RSMo, requires the Governor to designate those members of his staff who have supervisory authority over each department, division or agency of the state government.

NOW, THEREFORE, I, MATT BLUNT, GOVERNOR OF MISSOURI, by virtue and authority vested in me by the Constitution and laws of the State of Missouri, do hereby designate the following members of my staff as having supervisory authority over the following departments, divisions or agencies:

Office of Administration	Ken McClure
Department of Agriculture	Rob Monsees
Department of Conservation	Rob Monsees
Department of Corrections	Terry Jarrett
Department of Economic Development	Ken McClure
Department of Elementary and Secondary Education	Rob Monsees
Department of Health and Senior Services	Ken McClure
Department of Higher Education	Rob Monsees
Department of Insurance	Terry Jarrett
Department of Labor and Industrial Relations	Terry Jarrett
Department of Mental Health	Ken McClure
Department of Natural Resources	Rob Monsees
Department of Public Safety	Terry Jarrett
Department of Revenue	Ken McClure
Department of Social Services	Ken McClure
Department of Transportation	Chuck Pryor
Missouri Housing Development Commission	Rob Monsees
Boards Assigned to the Governor	Ken McClure
Unassigned Boards and Commissions	Ken McClure



IN WITNESS WHEREOF, I have
hereunto set my hand and caused to
be affixed the Great Seal of the State
of Missouri, in the City of Jefferson,
on this 8th day of March, 2005.

A handwritten signature in black ink, reading "Matt Blunt". The signature is written in a cursive style with a large, stylized "M" and "B".

Matt Blunt
Governor

ATTEST:

A handwritten signature in black ink, reading "Robin Carnahan". The signature is written in a cursive style with a large, stylized "R" and "C".

Robin Carnahan
Secretary of State

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of the proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted printed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety (90)-day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 110—Missouri Dental Board Chapter 2—General Rules

PROPOSED RULE

4 CSR 110-2.071 License Renewal—Dentists and Dental Hygienists

PURPOSE: *This rule clarifies the license renewal requirements for dentists and dental hygienists pursuant to the passage of House Bill No. 970.*

(1) Any person licensed to practice dentistry or dental hygiene shall renew that license every two (2) years. Every licensee shall provide the board a completed renewal application on a form prescribed by the board that shall contain updated information since the preceding renewal period.

(2) The two (2)-year license renewal period shall commence on December 1 and end on November 30. Applications for renewal shall be postmarked on or before the license expiration date, which is November 30 of each even-numbered year. Should November 30 fall on a Saturday, Sunday or legal holiday, renewal forms postmarked by the post office on the next business day will not be considered delinquent.

(3) Failure of the licensee to receive a renewal application shall not relieve the licensee of the obligation to renew the license and pay the required fee prior to the expiration date of the license. Deposit of the renewal fee by the board or the Division of Professional Registration does not indicate acceptance of the renewal application or that any licensing requirements have been fulfilled.

(4) Renewal, by statute, is contingent upon the licensee having successfully completed the mandatory hours of continuing education during the two (2)-year time block as specified in 4 CSR 110-2.240.

(5) Any dentist or dental hygienist newly licensed during the two (2)-year renewal period will be issued his/her initial license that will be valid until the end of that current renewal period. Newly licensed dentists and dental hygienists will be required to renew their license and pay the license renewal fee on or before the initial license expiration date to maintain the license in an active status. Continuing education requirements of new licensees are specified in 4 CSR 110-2.240(2)(C) and (D).

(6) Licensees will receive one (1) renewal license and, if requested, up to two (2) duplicate renewal licenses upon approval of the application for renewal. Additional duplicate licenses will be provided upon payment of the appropriate fee as specified in 4 CSR 110-2.170.

(7) The license of any dentist or dental hygienist shall expire if not renewed on or before the license expiration date. An expired license can be renewed at any time within four (4) years of the license expiration date by submission of a properly completed renewal application form, payment of the renewal fee and renewal penalty fee as specified in 4 CSR 110-2.170(1)(C), and by providing the board with proof of having successfully completed the mandatory continuing education hours.

(8) In the first two (2)-year renewal cycle following the license expiration date of a dentist or dental hygienist, the mandatory continuing education hours shall be fifty (50) for dentists and thirty (30) for dental hygienists. In the second two (2)-year renewal cycle following the license expiration date, the mandatory continuing education hours shall be one hundred (100) for dentists and sixty (60) for dental hygienists. Continuing education hours earned for renewal of an expired license may be earned at any time during a four (4)-year period prior to the renewal application date. The board will not accept continuing education hours that were earned by the dentist or dental hygienist during that four (4)-year period if those same hours were used to renew a prior license.

(9) Any licensee who fails to renew his/her license on or before the license expiration date shall not perform any act for which a license is required unless and until the license is properly renewed.

AUTHORITY: *sections 332.031, RSMo 2000 and 332.181, RSMo Supp. 2004. Original rule filed March 1, 2005.*

PUBLIC COST: *This proposed rule will cost the Missouri Dental Board an estimated seventeen thousand seven dollars and thirty-six cents (\$17,007.36) biennially for the life of the rule. It is anticipated that the total cost will recur for the life of the rule, may vary with*

inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed rule will cost private entities an estimated \$1,269,790 biennially for the life of the rule. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Dental Board, Sharlene Rimiller, Executive Director, PO Box 1367, Jefferson City, MO 65102, by faxing (573) 751-8216 or via e-mail at dental@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

PUBLIC ENTITY FISCAL NOTE

I. RULE NUMBER

Title 4 -Department of Economic Development

Division 110 - Missouri Dental Board

Chapter 2 - General Rules

Proposed Rule 4 CSR 110-2.071 License Renewal - Dentists and Dental Hygienists

Prepared January 20, 2005 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Biennial Cost of Compliance
Missouri Dental Board	\$17,007.36
Total Biennial Cost of Compliance for the Life of the Rule	
	\$17,007.36

III. WORKSHEET

The figures below represent the expense and equipment costs:

CLASSIFICATION	Fee Amount	Number in Class	AGGREGATE COST
Renewal Application	\$0.05	5,958	\$297.90
Envelope for Mailing Renewal Application	\$0.07	5,958	\$417.06
Postage for Mailing Renewal Application	\$0.35	5,958	\$2,085.30
License Printing Cost	\$0.15	5,958	\$893.70
Envelope for Mailing License(s)	\$0.03	5,958	\$178.74
Postage for Mailing License(s)	\$0.35	5,958	\$2,085.30
Total expense and equipment cost associated with printing and mailing applications			\$5,958.00

Licenses are issued for a two (2) year period. Renewal applications are processed by the division central processing unit. Based on FY03 transfer cost to the division for this service, the board estimates that approximately \$9,690 will be transferred to the division biennially for the processing of renewals.

The board estimates that approximately one hundred sixty seven (167) applications for reinstatement will be received annually. Applications for reinstatement are processed by the Licensure Technician II who reviews the application and updates the information contained on the renewal to the licensing computer system. It is estimated that the Licensure Technician II will spend approximately thirty (30) minutes per application for reinstatement. The Executive Director reviews any questions or problems on renewals and addresses those problems with necessary action such as correspondence, telephone calls or placing on the agenda for Board review. The board estimates the amount of time spent by the Executive Director will be very minimal, therefore, no personal services cost is reported in this fiscal note related to the Executive Director processing reinstatement applications.

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	TOTAL COST
Licensure Technician II	\$23,736	\$33,861.78	\$16.28	\$0.27	30 minutes	\$8.14	\$1,359.36

Total personal service costs associated with renewal a license **\$11,049.36**

IV. ASSUMPTION

- The number of applications are based on actual figures from FY03 and FY04.
- Employee's salaries were calculated using their annual salary multiplied by 42.66% for fringe benefits and then were divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of applications or renewals. The total cost was based on the cost per application multiplied by the estimated number of applications.
- Costs associated with review of continuing education is reported in the fiscal note filed with 4 CSR 110-2.240
- It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

PRIVATE ENTITY FISCAL NOTE

I. RULE NUMBER

Title 4 -Department of Economic Development

Division 110 - Missouri Dental Board

Chapter 2 - General Rules

Proposed Rule 4 CSR 110-2.071 License Renewal - Dentist and Dental Hygienists

Prepared January 20, 2005 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated biennial cost of compliance with the amendment by affected entities:
3,007	Dentists (Renewal Fee - \$250)	\$751,750
590	Dental Specialists (Renewal Fee - \$270)	\$159,300
2,361	Dental Hygienists (Renewal Fee - \$130)	\$306,930
10	Licensees (Duplicate License Fee - \$5)	\$50
90	Dentists (Reactivation Fee - \$350)	\$31,500
2	Dental Specialists (Reactivation Fee - \$370)	\$740
75	Dental Hygienists (Reactivation Fee - \$230)	\$17,250
6,135	Licensees (postage - renewals @ \$.37)	\$2,270
	Estimated Biennial Cost of Compliance for the Life of the Rule	\$1,269,790

III. WORKSHEET

See table above.

IV. ASSUMPTION

1. The above figures are based on FY03 and FY04 actual and FY05 projections.
2. It is anticipated that the total cost will recur biennially for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

**Division 110—Missouri Dental Board
Chapter 2—General Rules**

PROPOSED RESCISSION

4 CSR 110-2.090 Certification of Dental Specialists. This rule identified specialties recognized by the Missouri Dental Board and the requirements and procedures an applicant must fulfill prior to being certified as a dental specialist.

PURPOSE: The rule is being rescinded and readopted to allow the board to add a new dental specialty recognized by the American Dental Association and to delete all requirements for passage of a specialty examination pursuant to the elimination of the specialty examination in House Bill No. 970. The board is also proposing to delete the annotation that immediately follows this rule in the *Code of State Regulations*.

AUTHORITY: sections 332.031, RSMo Supp. 1999 and 332.171.2, RSMo 1994. Original rule filed Dec. 12, 1975, effective Jan. 12, 1976. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed March 1, 2005.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Dental Board, Sharlene Rimiller, Executive Director, PO Box 1367, Jefferson City, MO 65102, by faxing (573) 751-8216 or via e-mail at dental@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**

**Division 110—Missouri Dental Board
Chapter 2—General Rules**

PROPOSED RULE

4 CSR 110-2.090 Certification of Dental Specialists

PURPOSE: This rule identifies specialties recognized by the Missouri Dental Board and the requirements and procedures applicants must fulfill prior to being certified as a dental specialist.

(1) In order to qualify for certification as a specialist in endodontics, oral pathology, oral and maxillofacial radiology, oral and maxillofacial surgery, orthodontics and dentofacial orthopedics, pediatric dentistry, periodontics, prosthodontics, public health, or any other area of specialty recognized by the American Dental Association, the applicant shall submit to the board the appropriate application fee, submit a completed application form as defined in section (2) of this rule, and fulfill the following requirements:

(A) Is a currently licensed dentist in Missouri; and

(B) Is a current diplomate of an American specialty board recognized by the American Dental Association; or

(C) Is a graduate of an accredited specialty training program accredited by the Council on Dental Accreditation.

(2) To apply for a specialty certificate, each applicant shall submit the following:

(A) A completed application form provided by the board;

(B) A nonrefundable application fee as specified in 4 CSR 110-2.170 payable to the Missouri Dental Board;

(C) A two-inch by three-inch (2" × 3") photograph or passport photograph taken no more than six (6) months prior to the application date;

(D) An official copy of his/her educational transcript from the accredited specialty training program. Transcripts must be sent directly to the board from the accredited specialty training program, if applicable;

(E) Written verification of diplomate status sent directly from his/her American specialty board, if applicable; and

(F) Each application must be completed within one (1) year from the date of submission to the board. If not completed, the application becomes invalid and a new application process must begin.

AUTHORITY: sections 332.031, RSMo 2000 and 332.171.2, RSMo Supp. 2004. Original rule filed Dec. 12, 1975, effective Jan. 12, 1976. For intervening history, please consult the *Code of State Regulations*. Rescinded and readopted: Filed March 1, 2005.

PUBLIC COST: This proposed rule will cost the Missouri Dental Board an estimated five hundred forty-six dollars (\$546) annually for the life of the rule. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed rule will cost private entities an estimated seven thousand seven hundred fifty dollars (\$7,750) annually for the life of the rule. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Dental Board, Sharlene Rimiller, Executive Director, PO Box 1367, Jefferson City, MO 65102, by faxing (573) 751-8216 or via e-mail at dental@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

PUBLIC ENTITY FISCAL NOTE

I. RULE NUMBER

Title 4 -Department of Economic Development

Division 110 - Missouri Dental Board

Chapter 2 - General Rules

Proposed Rule 4 CSR 110-2.090 Certification of Dental Specialists

Prepared January 20, 2005 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance
Missouri Dental Board	\$546.00
Total Annual Cost of Compliance for the Life of the Rule	
	\$546.00

III. WORKSHEET

The figures below represent the expense and equipment costs:

CLASSIFICATION	Fee Amount	Number in Class	AGGREGATE COST
Application Printing	\$0.20	20	\$4.00
Practice Act Printing	\$1.93	20	\$38.60
Envelope for Mailing Application	\$0.16	20	\$3.20
Postage for Mailing Application	\$2.21	20	\$44.20
Application Copying Costs (Committee Review)	\$0.60	20	\$12.00
Postage to Mail to Committee Members	\$0.70	20	\$14.00
License Printing Cost	\$0.35	20	\$7.00
Envelope for Mailing License	\$0.16	20	\$3.20
Postage for Mailing License	\$0.35	20	\$7.00
Total expense and equipment cost associated with printing and mailing applications			\$133.20

The board estimates that approximately twenty (20) applications for speciality certification will be received annually. Applications are processed by the Licensure Technician II who reviews the application for completeness, updates the information contained on the application to the licensing computer system, and issues and mails the license. The application is then reviewed by two (2) members of the specialty committee. It is estimated that the Licensure Technician II will spend approximately thirty (30) minutes per application. The Executive Director reviews any questions or problems on renewals and addresses those problems with necessary action such as correspondence, telephone calls or placing on the agenda for Board review. The board estimates the amount of time spent by the Executive Director will be very minimal; therefore, no personal services cost is reported in this fiscal note related to the Executive Director processing these applications. The figures below represent the personal services costs:

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	TOTAL COST
Licensure Technician II	\$23,736.00	\$33,861.78	\$16.28	\$0.27	30	\$8.14	\$162.80
Speciality Committee Members (2)			\$6.25		1 hour	\$6.25	\$250.00
Total personal service costs associated with printing and mailing the applications for licensure to applicant							\$412.80

IV. ASSUMPTION

1. The number of applications are based on actual figures from FY03 and FY04.
2. Employee's salaries were calculated using their annual salary multiplied by 42.66% for fringe benefits and then were divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of applications or renewals. The total cost was based on the cost per application multiplied by the estimated number of applications.
3. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

PRIVATE ENTITY FISCAL NOTE

I. RULE NUMBER

Title 4 -Department of Economic Development

Division 110 - Missouri Dental Board

Chapter 2 - General Rules

Proposed Rule - 4 CSR 110-2.090 Certification of Dental Specialists

Prepared January 20, 2005 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated savings for compliance with the amendment by affected entities:
20	Dental Specialist Applicants (Application Fee - \$350)	\$7,000
20	Dental Specialist Applicants (Notary Fee - \$2.50)	\$50
20	Dental Specialist Applicants (Transcript Fee - \$15)	\$300
20	Dental Specialist Applicants (Endorsement of Specialty Scores - \$20)	\$400
Estimated Annual Cost of Compliance for the Life of the Rule		\$7,750

III. WORKSHEET

See table above.

IV. ASSUMPTION

1. The number of applications are based on actual figures from FY03 and FY04.
2. No costs were shown for expense to the applicant to submit a photo, as the board will accept a recent snapshot of the licensee.
3. It is anticipated that the total costs will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 110—Missouri Dental Board
Chapter 2—General Rules**

PROPOSED AMENDMENT

4 CSR 110-2.170 Fees. The board is proposing to amend paragraphs (1)(A)3. and (1)(B)3., subsection (1)(D) and delete section (3).

PURPOSE: The purpose of this amendment is to delete any reference to a specialty examination pursuant to House Bill No. 970. The board is amending (1)(A)2. and deleting (1)(B)3. This amendment will also eliminate any reference to renewal requirements and is proposing a separate rule for renewal pursuant to the changes in House Bill No. 970. The board is deleting the renewal language following (1)(D), deleting all of section (3), and renumbering section (4).

(1) The following fees are established by the Missouri Dental Board:

(A) Application Fees*

- | | |
|--|-------|
| 1. Dentist (includes initial Missouri jurisprudence exam fee) | \$230 |
| 2. Dental Specialist [(includes initial specialist exam fee, if applicable)] | \$330 |
| 3. Dental Hygienist (includes initial Missouri jurisprudence exam fee) | \$155 |

(B) Reexamination Fees

- | | |
|---|--------|
| 1. Dentist Jurisprudence Examination | \$100 |
| 2. Dental Hygienist Jurisprudence Examination | \$ 50 |
| [3. Specialist Examination | \$300] |

(D) Renewal Penalty Fee—Dentist/Dental Specialist/Dental Hygienist

\$100

[(Renewal forms postmarked by the post office December 1 or after will be considered delinquent. Should November 30 fall on a Saturday, Sunday or legal holiday, renewal forms postmarked by the post office on the next business day will not be considered delinquent.)]

[(3) All licenses will be renewed biennially and will expire on November 30 of each even-numbered year.]

[(4)](3) The provisions of this rule are declared severable. If any fee fixed by this rule is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions of this rule shall remain in full force and effect, unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.

AUTHORITY: section 332.031.3, RSMo 2000. Emergency rule filed June 30, 1981, effective July 9, 1981, expired Nov. 6, 1981. Original rule filed June 30, 1981, effective Oct. 11, 1981. For intervening history, please consult the Code of State Regulations. Amended: Filed March 1, 2005.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivision more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Dental Board, Sharlene Rimiller, Executive Director, PO Box 1367, Jefferson City, MO 65102, by faxing (573) 751-8216 or via e-mail at dental@pr.mo.gov. To be considered, comments must be

received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 110—Missouri Dental Board
Chapter 2—General Rules**

PROPOSED AMENDMENT

4 CSR 110-2.240 Continuing Dental Education. The board is proposing to amend section (4).

PURPOSE: The purpose of this amendment is to amend section (4). The board is proposing a new rule (4 CSR 110-2.071) specifying the requirements for renewal pursuant to the passage of House Bill No. 970 and renewal of an expired license is addressed in the new proposed rule.

(4) [To reinstate the license of a dentist or dental hygienist whose license has been noncurrent for any reason, including retirement, for a period of four (4) years or less, that person shall obtain, in addition to any other requirements of law, all the continuing education that would have been required if the license had been current and active during that period. To reinstate the license of any dentist or dental hygienist whose license has been in a noncurrent state for any reason, including retirement for more than four (4) years, that person shall comply with the Missouri Dental Board rules as well as any other requirements for relicensure under Chapter 332, RSMo.] Licensees whose license has expired shall comply with the continuing education requirements as established in 4 CSR 110-2.071(8).

AUTHORITY: sections 332.031, RSMo 2000 and 332.181 and 332.261, RSMo Supp. [2001] 2004. Original rule filed Aug. 30, 1993, effective April 9, 1994. Amended: Filed June 27, 1995, effective Dec. 30, 1995. Amended: Filed Sept. 15, 1998, effective April 30, 1999. Amended: Filed Dec. 14, 2001, effective June 30, 2002. Amended: Filed June 28, 2002, effective Dec. 30, 2002. Amended: Filed March 1, 2005.

PUBLIC COST: This proposed amendment will cost the Missouri Dental Board an estimated seven thousand four hundred eighty-one dollars and sixty-seven cents (\$7,481.67) annually for the life of the rule. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed amendment will cost private entities an estimated \$7,148,100 biennially for the life of the rule. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Dental Board, Sharlene Rimiller, Executive Director, PO Box 1367, Jefferson City, MO 65102, by faxing (573) 751-8216 or via e-mail at dental@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PUBLIC ENTITY FISCAL NOTE

I. RULE NUMBER

Title 4 -Department of Economic Development
Division 110 - Missouri Dental Board
Chapter 2 - General Rules
Proposed Rule 4 CSR 110-2.240 Continuing Dental Education

Prepared January 20, 2005 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Biennial Cost of Compliance
Missouri Dental Board	\$7,481.67
Total Biennial Cost of Compliance for the Life of the Rule	
	\$7,481.67

III. WORKSHEET

The board may conduct an audit of licensees to verify compliance with the continuing education requirements. Licensees shall assist the board in its audits by providing timely and complete responses to the board's inquiries. Of the estimated 5,817 licensees, the board audits 5% of all licensees (5% of 5,817 = 291 audits). In 90% (262) of those cases, the investigator II spends about a 30 minute review on each case. In another 5% of those cases (16), there are problems that require another 45 minutes from the investigator II for a total 1 hours and 15 minutes. In the remaining cases (13), the board estimates a total of 4 hours Investigator II time.

The Executive Director will request the information from the licensee and the Investigator II will monitor the cases, review the information received for compliance, update the computer licensing program and report any derogatory information to the Executive Director. The Executive Director will then place the information on the board's meeting agenda for review by the full board. The members of the board will review the audit case during the regularly scheduled board meeting. The board estimates approximately 2 audit cases will be reviewed at each regularly scheduled quarterly meeting of the board. Because the information will be reviewed during regular meetings of the board, no additional cost were calculated for review of the audit cases.

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER LICENSEE AUDITED	COST PER LICENSEE AUDITED	TOTAL COST
Executive Director	\$58,992.00	\$84,157.99	\$40.46	\$0.67	10 minutes	\$6.74	\$1,962.34
Investigator II	\$32,580.00	\$46,478.63	\$22.35	\$0.37	30 minutes	\$11.17	\$2,927.26
Investigator II	\$32,580.00	\$46,478.63	\$22.35	\$0.37	1 hour 15 min.	\$16.76	\$268.15
Investigator II	\$32,580.00	\$46,478.63	\$22.35	\$0.37	4 hours	\$178.76	\$2,323.93
Total personal service costs							\$7,481.67

IV. ASSUMPTION

1. The number of applications are based on actual figures from FY03 and FY04 and FY05 projections.
2. Employee's salaries were calculated using their annual salary multiplied by 42.66% for fringe benefits and then were divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of continuing education audits. The total cost was based on the cost per licensee audited multiplied by the estimated number of applications.
3. Although, each member of the staff answers telephone inquiries related to continuing education on a weekly basis, those costs were not calculated into this fiscal note.
4. It is anticipated that the total cost will recur biennially for the life of the rule, may vary with inflation and is expected to increase biennially at the rate projected by the Legislative Oversight Committee.

PRIVATE ENTITY FISCAL NOTE

I. RULE NUMBER

Title 4 -Department of Economic Development

Division 110 - Missouri Dental Board

Chapter 2 - General Rules

Proposed Rule - 4 CSR 110-2.240 Continuing Medical Education

Prepared January 20, 2005 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated savings for compliance with the amendment by affected entities:
3,188	Dentists (Continuing Education - \$30/per hour)	\$4,782,000
2,629	Dental Hygienists (Continuing Education - \$30/per hour)	\$2,366,100
	Estimated Biennial Cost of Compliance for the Life of the Rule	\$7,148,100

III. WORKSHEET

See table above.

IV. ASSUMPTION

1. The number above are based on actual figures from FY03 and FY04 and FY05 projections.
2. Based on 4 CSR 110-2.240(2)(C), dentists are required to obtain 50 hours of continuing education each renewal period. Dental hygienists are required to obtain 25 hours of continuing education each renewal period.
3. Due to the various geographic locations of licensees, it is not possible to estimate all costs (i.e., mileage, meals, and lodging) that a licensee could incur in obtaining the required continuing education.
4. It is anticipated that the total savings will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT**
**Division 150—State Board of Registration for the Healing
Arts**
Chapter 2—Licensing of Physicians and Surgeons

PROPOSED RULE

4 CSR 150-2.153 Reinstatement of an Inactive License

PURPOSE: This rule provides the requirements physicians must follow to request reinstatement of a license that has been inactive pursuant to SB 1182 of the 91st General Assembly (2002).

(1) All applicants shall make application for reinstatement of an inactive license upon a form prepared by the board.

(2) No application will be considered unless fully and completely made out on the specified form and properly attested.

(3) All applicants must provide, on the application form, a recent unmounted photograph, in size no larger than three and one-half inches by five inches (3 1/2" × 5").

(4) All applications shall be sent to the Missouri State Board of Registration for the Healing Arts, PO Box 4, Jefferson City, MO 65102.

(5) All applicants for reinstatement of an inactive license must submit a fee as specified in 4 CSR 150-2.080. The fee shall be submitted in the form of a cashier's check or money order drawn on a United States bank made payable to the Missouri Board of Healing Arts.

(6) No application will be processed prior to the submission of the required fee in the appropriate form.

(7) All applicants must submit an activity statement documenting all employment, professional and nonprofessional activities since the date the license was placed on inactive status.

(8) All applicants shall have licensure, registration or certification verification submitted from every state and country in which s/he has ever held privileges to practice as a physician. This verification must be submitted directly from the licensing agency and include the type of license, registration or certification, the issue and expiration date, and information concerning any disciplinary or investigative actions.

(9) An applicant for reinstatement of an inactive license who has not actively practiced as a physician in another state or country throughout the period their Missouri license was inactive, shall submit upon request any documentation requested by the board necessary to verify that the applicant is competent to practice in Missouri. Such documentation may include continuing education, additional training, or applicable documentation acceptable to the board. If an applicant under this subsection has been in inactive status for more than five (5) years, the board may require the applicant to successfully complete reexamination prior to reinstatement. Reexaminations may include only those nationally recognized specialty or certification examinations recognized by the Federation of State Medical Boards, the American Osteopathic Association, the American Medical Association, the American Board of Medical Specialties, the National Board of Medical Examiners or the National Board of Osteopathic Examiners. Applicants with a recognized specialty will be directed to an appropriate specialty examination.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions an estimated seventy-eight dollars and one cent (\$78.01) annually for the life of the rule. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed rule will cost private entities an estimated one thousand fourteen dollars and thirty-five cents (\$1,014.35) annually for the life of the rule. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Board of Healing Arts, Tina Steinman, Executive Director, PO Box 4, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

AUTHORITY: sections 334.090.2 and 334.125, RSMo 2000.
Original rule filed March 1, 2005.

PUBLIC ENTITY FISCAL NOTE

I. RULE NUMBER

Title 4 - Department of Economic Development

Division 150-2.153 Reinstatement of an Inactive License

Chapter 2 - Licensing of Physicians and Surgeons

Proposed Rule - 4 CSR 150-2.153 Reinstatement of an Inactive License

Prepared November 5, 2004 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Annual Cost of Compliance
State Board of Registration for the Healing Arts	\$78.01
Total Annual Cost of Compliance for the Life of the Rule	
	\$78.01

III. WORKSHEET

Applications for reinstatement of an inactive license are mailed by the Licensure Technician I and processed by the Licensure Technician II who reviews the application, updates the information contained in the licensing computer system and mails the licenses. The Licensing Supervisor reviews any questions or problems on the application and provides guidance for resolution.

The board estimates of 5 applications will be received annually. The figures below represent costs paid by the State Board of Registration for the Healing Arts for implementation of this rule.

Employee's salaries were calculated using the annual salary multiplied by 43.78% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of applications or renewals. The total cost was based on the cost per application multiplied by the estimated number of applications or renewals.

STAFF	ANNUAL SALARY	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	TOTAL COST
Licensing Supervisor	\$29,784.00	\$42,823.44	\$20.59	\$0.34	15 minutes	\$5.15	\$25.74
Licensure Technician II	\$24,984.00	\$35,922.00	\$17.27	\$0.29	30 minutes	\$8.64	\$43.18
Licensure Technician I	\$19,932.00	\$28,658.23	\$13.78	\$0.23	1 minute	\$0.23	\$1.15

Total Personal Service Costs \$70.06

Expense and Equipment Dollars for Initial Applications

Application Printing	\$0.25		
Envelope for Mailing Application	\$0.16		
Postage for Mailing Application	\$0.32		
Printing License	\$0.35		
Envelope for Mailing License	\$0.16		
Postage for Mailing License	\$0.35		
Total Expense and Equipment Cost per Application:	\$1.59	Total Expense and Equipment Costs	\$7.95

IV. ASSUMPTION

1. The board anticipates 5 individuals will apply for reactivation of their license annually.
2. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase annually at the rate projected by the Legislative Oversight Committee.

NOTE: The public fiscal note for this rule only reflects the cost for this particular process. However, private entity fees are set at an amount to cover the total actual cost incurred by the board, which includes personal service, expense and equipment and transfers.

PRIVATE ENTITY FISCAL NOTE

I. RULE NUMBER

Title 4 -Department of Economic Development

Division 150-2.153 Reinstatement of an Inactive License

Chapter 2 - Licensing of Physicians and Surgeons

Proposed Rule - 4 CSR 150-2.153 Reinstatement of an Inactive License

Prepared November 5, 2004 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
5	Applicants (Reinstating Inactive Fee @ \$200)	\$1,000.00
5	Applicants (notary @ \$2.50)	\$12.50
5	Applicants (postage @ \$.37)	\$1.85
	Estimated Annual Cost of Compliance for the Life of the Rule	\$1,014.35

III. WORKSHEET

See table above.

IV. ASSUMPTION

1. It is anticipated that the total cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

NOTE: The board is statutorily obligated to enforce and administer the provisions of Chapter 334, RSMo. Pursuant to Section 334.090.2, RSMo, the board shall by rule and regulation set the amount of fees authorized by Chapter 334, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of Chapter 334, RSMo. This proposed amendment is necessary because the board's projected revenue will not support the expenditures necessary to enforce and administer the provisions of Chapter 334, RSMo, which will result in an endangerment to the health, welfare, and safety of the public.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 150—State Board of Registration for the
Healing Arts
Chapter 3—Licensing of Physical Therapists and
Physical Therapist Assistants**

PROPOSED AMENDMENT

4 CSR 150-3.060 Biennial Registration. The board is proposing to amend the original Purpose statement.

PURPOSE: The purpose of this amendment is change the word “annual” to “biennial” in the original Purpose statement.

PURPOSE: This rule provides information to professional physical therapists permanently licensed in Missouri regarding [annual] biennial registration.

AUTHORITY: sections 334.125, **RSMo 2000** and 334.570 and 334.675, **RSMo [1999] Supp. 2004**. Original rule filed Dec. 19, 1975, effective Dec. 29, 1975. For intervening history, please consult the **Code of State Regulations**. Amended: Filed March 1, 2005.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivision more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts, Tina Steinman, Executive Director, PO Box 4, Jefferson City, MO 65102, by faxing (573) 751-3166 or by e-mailing healingarts@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 150—State Board of Registration for the
Healing Arts
Chapter 6—[Registration] Licensure of Athletic Trainers**

PROPOSED RESCISSION

4 CSR 150-6.010 Definitions. This rule defined and described terms used in 4 CSR 150 Chapter 6.

PURPOSE: This rule is being rescinded and readopted to clearly define terms used throughout this chapter.

AUTHORITY: sections 334.125 and 334.706.3(2), **RSMo 2000**. Emergency rule filed April 5, 1985, effective April 15, 1985, expired Aug. 13, 1985. Original rule filed May 3, 1985, effective Aug. 15, 1985. Amended: Filed Sept. 15, 1988, effective Jan. 1, 1989. Amended: Filed July 30, 2001, effective Jan. 30, 2002. Rescinded: Filed March 1, 2005.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri Board of Healing Arts, Tina Steinman, Executive Director, PO Box 4, Jefferson City, MO 65102, by faxing (573) 751-3166 or by e-mailing healingarts@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 150—State Board of Registration for the
Healing Arts
Chapter 6—Licensure of Athletic Trainers**

PROPOSED RULE

4 CSR 150-6.010 Definitions

PURPOSE: This rule defines terms used throughout this chapter.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) As used in this rule, unless the context clearly requires otherwise, the following terms mean:

(A) Academic year—a continuous nine (9)-month session in an athletic trainer program;

(B) Team physician or consulting physician—a person who is licensed as a physician and surgeon pursuant to Chapter 334, **RSMo**.

(C) Basic athletic training course—curriculum involving the following didactic areas of education:

1. Risk Management and Injury Prevention
2. Pathology of Injuries and Illnesses
3. Assessment and Evaluation
4. Acute Care of Injury and Illness
5. Pharmacology
6. Therapeutic Modalities
7. Therapeutic Exercise
8. General Medical Conditions and Disabilities
9. Nutritional Aspects of Injury and Referral
10. Psychosocial Intervention and Referral
11. Health Care Administration
12. Professional Development and Responsibilities
13. Human Anatomy
14. Biomechanics and Kinesiology
15. Exercise Physiology

(D) Direct supervision—as defined by the National Athletic Trainers Association Board of Certification (NATA BOC) or its successor agency between the athletic trainer licensed pursuant to Chapter 334, **RSMo** and the perspective applicant;

(E) Certified athletic trainer—an athletic trainer certified by the NATA BOC or its successor agency;

(F) Educational quality equal—as defined in *Athletic Training Clinical Proficiencies*, 4th Edition, which is incorporated herein by reference as published by the NATA BOC or its successor agency, available upon request from this office or upon request from the NATA BOC, 1101 East Fourth Street, Greenville, NC 27858 or its successor agency. This rule does not incorporate any subsequent amendments or additions; and

(G) Athletic trainer—any person who, in any manner, represents him/herself as an athletic trainer, or who uses in connection with

his/her name the words or letters athletic trainer, trainer, registered athletic trainer, certified athletic trainer, licensed athletic trainer, A.T., A.T.C., C.A.T., A.T.L., L.A.T., ATC/L or any other letters, word abbreviations or insignia indicating or implying that s/he is an athletic trainer;

(H) The phrase "Direction of the Team Physician and/or Consulting Physician" as used in section 334.702, RSMo, may be evidenced by the following:

1. A functional protocol form, signed by a team physician and/or consulting physician. The protocol form shall specify what procedures the athletic trainer may perform or initiate during the physician's absence;

2. A written or verbal order from a team physician and/or consulting physician; and

3. Written procedures of the setting in which the athletic trainer practices that have been approved by the team physician and/or consulting physician.

AUTHORITY: sections 334.125, RSMo 2000 and 334.706.3(2), RSMo Supp. 2004. Emergency rule filed April 5, 1985, effective April 15, 1985, expired Aug. 13, 1985. Original rule filed May 3, 1985, effective Aug. 15, 1985. Amended: Filed Sept. 15, 1988, effective Jan. 1, 1989. Amended: Filed July 30, 2001, effective Jan. 30, 2002. Rescinded and readopted: Filed March 1, 2005.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Board of Healing Arts, Tina Steinman, Executive Director, PO Box 4, Jefferson City, MO 65102, by faxing (573) 751-3166 or by e-mailing healingarts@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 150—State Board of Registration for the Healing Arts

Chapter 6—[Registration] Licensure of Athletic Trainers

PROPOSED AMENDMENT

4 CSR 150-6.020 Applicants for [Registration] Licensure as Athletic Trainers. The board is amending the Chapter name, the original Purpose statement and sections (3) through (7).

PURPOSE: This amendment changes the word "registration" to "licensure" pursuant to HB 1399 and SB 962 of the 92nd General Assembly (2004).

PURPOSE: This rule provides requirements to applicants desiring [registration] licensure in Missouri to practice as athletic trainers.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(3) All applicants for [registration] licensure shall present, attached to the application, a recent photograph, not larger than three and one-half inches by five inches (3 1/2" × 5").

[(4) All applicants shall provide a functional protocol form(s), signed by a physician licensed to practice pursuant to Chapter 334, RSMo. The protocol form shall specify what procedures the athletic trainer may perform or initiate during the physician's absence. If practicing under the direction of more than one (1) physician the applicant shall submit a functional protocol form signed by each physician.]

[(5)](4) If the applicant is applying for [registration] licensure as an athletic trainer based upon meeting the National Athletic Trainers Association Board of Certification's (NATA BOC's) or its successor agency's certification qualifications, then the applicant shall provide proof that the NATA BOC or its successor agency's certification is current at the time the application is submitted to the board.

[(6)](5) If the applicant is applying for licensure as an athletic trainer pursuant to 334.708.1(3), RSMo, they must provide [P]proof which is acceptable to the board of experience and educational quality equal to that [mentioned in] as required by section 334.708.1(1), RSMo. Said proof is set forth [in materials which are incorporated by reference and retained at the office of the board. The materials can be summarized in that the results of] by a role delineation study completed [National Athletic Trainers' Association (NATA) Board of Certification] by the NATA BOC, 4th Edition, 1101 East Fourth Street, Greenville, NC 27858 or its successor agency which is incorporated by reference and retained at the office of the board. This rule does not incorporate any subsequent amendments or additions. [in conjunction with the Professional Examination Service, New York, New York, as a primary basis for development of a list of competencies and is incorporated by reference in this rule. The role delineation study is designed to identify actual job responsibilities and tasks performed by certified athletic trainers in high schools, colleges and professional athletic organizations throughout the United States and was conducted in an attempt to establish a valid base for construction of the national certification examination for athletic trainers. The list of competencies subsequently developed by the NATA Professional Education Committee serves as a guide to the development of educational programs leading to certification as an athletic trainer and is intended to assist both instructional personnel and students in identifying knowledge and skills to be mastered. Thus, educational backgrounds of registered athletic trainers in Missouri should follow these competencies. The competencies identified are categorized according to seven (7) major tasks comprising the role of the certified athletic trainer:

- (A) Prevention of athletic injuries/illnesses;
- (B) Evaluation and recognition of athletic injuries/illnesses and medical referral;
- (C) First aid and emergency care;
- (D) Rehabilitation and reconditioning;
- (E) Organization and administration;
- (F) Counseling and guidance; and
- (G) Education. Although the necessary competencies identified for each major task are not stated as such, they are listed wherever appropriate according to the following commonly accepted method of classifying behavioral objectives:

1. Cognitive domain (knowledge and intellectual skills). Psychomotor domain (manipulative and motor skills) and, affective domain (attitudes and values). The materials will be made available to any interested person, upon written

request, at a cost not to exceed the actual cost of reproduction.]

[(7)](6) The board shall charge each person applying for *[registration]* licensure to practice as an athletic trainer an appropriate fee which will be established by the board. The fee shall be sent with the application and in the form of a bank draft, postal money order or express money order. (Personal checks will not be accepted.)

AUTHORITY: sections 334.125, RSMo [Supp. 1999] 2000 and 334.702, 334.704, 334.706, 334.708, 334.710 and 334.712, RSMo [1994] Supp. 2004. Emergency rule filed April 5, 1985, effective April 15, 1985, expired Aug. 13, 1985. Original rule filed May 3, 1985, effective Aug. 15, 1985. Amended: Filed July 25, 2000, effective Dec. 30, 2000. Amended: Filed March 1, 2005.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts, Tina Steinman, Executive Director, PO Box 4, Jefferson City, MO 65102, by faxing (573) 751-3166 or by e-mailing healingarts@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 150—State Board of Registration for the Healing Arts

Chapter 6—[Registration] Licensure of Athletic Trainers

PROPOSED AMENDMENT

4 CSR 150-6.025 Examination. The board is amending the Chapter name and sections (2), (4), and (5).

PURPOSE: This amendment changes the word “registration” to “licensure” pursuant to HB 1399 and SB 962 of the 92nd General Assembly (2004).

(2) The board shall conduct examination of applicants for *[registration]* licensure to practice as an athletic trainer at least once each calendar year provided applicants support such administration.

(4) To receive a passing score on the examination, the applicant must achieve the passing score recommended by the National Athletic Trainers Association **Board of Certification (NATA BOC)** or its successor. Scores from a portion of an examination taken at one (1) test administration may not be averaged with scores from any other portion of the examination taken at another test administration to achieve a passing score.

(5) An applicant may retake the examination for *[registration]* licensure to practice as an athletic trainer upon payment of an appropriate fee established by the board.

AUTHORITY: section 334.706, RSMo Supp. [1999] 2004. Original rule filed July 25, 2000, effective Dec. 30, 2000. Amended: Filed March 1, 2005.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts, Tina Steinman, Executive Director, PO Box 4, Jefferson City, MO 65102, by faxing (573) 751-3166 or by e-mailing healingarts@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 150—State Board of Registration for the Healing Arts

Chapter 6—[Registration] Licensure of Athletic Trainers

PROPOSED AMENDMENT

4 CSR 150-6.030 [Registration] Licensure by Reciprocity. The board is amending the Chapter name, the original Purpose and sections (1), (5), and (8).

PURPOSE: This amendment changes the word “registration” to “licensure” pursuant to HB 1399 and SB 962 of the 92nd General Assembly (2004).

PURPOSE: This rule provides information to those applicants desiring *[registration]* licensure by reciprocity.

(1) The board shall grant, without examination, *[registration]* licensure to any qualified nonresident athletic trainer holding a license or registration in another state if that other state recognizes *[registrants]* licensees of Missouri in the same manner.

[(5)] All applicants shall provide a functional protocol form(s), signed by a physician licensed to practice pursuant to Chapter 334, RSMo. The protocol form shall specify what procedures the athletic trainer may perform or initiate during the physician’s absence. If practicing under the direction of more than one (1) physician the applicant shall submit a functional protocol form signed by each physician.]

[(6)](5) All applicants for reciprocity shall present, attached to the application, a recent photograph, not larger than three and one-half inches by five inches (3 1/2" × 5").

[(7)](6) All applications shall be sent to the executive director of the State Board of Registration for the Healing Arts, 3605 Missouri Boulevard, P.O. Box 4, Jefferson City, MO 65102.

[(8)](7) The board shall charge an appropriate fee which will be established by the board to each person applying for *[registration]* licensure by reciprocity as an athletic trainer. The fee shall be sent with the application and in the form of a bank draft, postal money order or express money order. (Personal checks will not be accepted.)

AUTHORITY: sections 334.125, RSMo [Supp. 1999] 2000 and 334.702, 334.704, 334.706, 334.708, 334.710 and 334.712, RSMo [1994] Supp. 2004. Emergency rule filed April 5, 1985, effective April 15, 1985, expired Aug. 13, 1985. Original rule filed May 3,

1985, effective Aug. 15, 1985. Amended: Filed April 4, 1988, effective Aug. 18, 1988. Amended: Filed July 25, 2000, effective Dec. 30, 2000. Amended: Filed March 1, 2005.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts, Tina Steinman, Executive Director, PO Box 4, Jefferson City, MO 65102, by faxing (573) 751-3166 or by e-mailing healingarts@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 150—State Board of Registration for the Healing Arts

Chapter 6—[Registration] Licensure of Athletic Trainers

PROPOSED AMENDMENT

4 CSR 150-6.040 Code of Ethics. The board is amending the Chapter name, the original Purpose statement and section (1).

PURPOSE: This amendment changes the word “registration” to “licensure” pursuant to HB 1399 and SB 962 of the 92nd General Assembly (2004).

PURPOSE: This rule provides an ethical standard for persons [registered] licensed as athletic trainers to follow.

(1) The board and the Missouri Athletic Trainer Advisory Committee adopt and incorporate by reference the National Athletic Trainers’ Association, Inc. (NATA) *Code of Ethics*, 4th Edition. A copy of the NATA’s *Code of Ethics*, 2952 Stemmons Freeway Dallas, TX 75247, phone: 214-637-6282 is retained at the office of the board and is available to any interested person, upon written request, at a cost not to exceed the actual cost of the reproduction. **This rule does not incorporate any subsequent amendments or additions.**

AUTHORITY: sections 334.125, *RSMo 2000* and 334.706.3(2), *RSMo [1986] Supp. 2004*. Emergency rule filed April 5, 1985, effective April 15, 1985, expired Aug. 13, 1985. Original rule filed May 3, 1985, effective Aug. 15, 1985. Amended: Filed April 4, 1988, effective Aug. 18, 1988. Amended: Filed March 1, 2005.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts, Tina Steinman, Executive Director, PO Box 4, Jefferson City, MO 65102, by faxing (573) 751-3166 or by e-mailing healingarts@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 150—State Board of Registration for the Healing Arts

Chapter 6—[Registration] Licensure of Athletic Trainers

PROPOSED AMENDMENT

4 CSR 150-6.050 Fees. The board is amending the Chapter name and subsections (1)(A) and (B).

PURPOSE: This amendment changes the word “registration” to “licensure” pursuant to HB 1399 and SB 962 of the 92nd General Assembly (2004).

(1) The following fees are established by the State Board of Registration for the Healing Arts:

(A) [Registration] Licensure With Examination Fee	\$150
(B) [Registration] Licensure Fee	\$100

AUTHORITY: sections 334.125, *RSMo 2000* and 334.706.3(2), *RSMo [2000] Supp. 2004*. Emergency rule filed April 5, 1985, effective April 15, 1985, expired Aug. 13, 1985. Original rule filed May 3, 1985, effective Aug. 15, 1985. Amended: Filed Sept. 15, 1988, effective Jan. 1, 1988. Amended: Filed April 30, 2002, effective Nov. 30, 2002. Amended: Filed March 1, 2005.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts, Tina Steinman, Executive Director, PO Box 4, Jefferson City, MO 65102, by faxing (573) 751-3166 or by e-mailing healingarts@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 150—State Board of Registration for the Healing Arts

Chapter 6—[Registration] Licensure of Athletic Trainers

PROPOSED AMENDMENT

4 CSR 150-6.060 Renewal of [Registration] Licensure. The board is amending the Chapter name, the original Purpose statement and sections (1), (2), (3) and (5), and deleting section (6).

PURPOSE: This amendment changes the word “registration” to “licensure” pursuant to HB 1399 and SB 962 of the 92nd General Assembly (2004).

PURPOSE: This rule provides information to athletic trainers regarding annual renewal of [registration] licensure.

(1) A [registration] license shall be renewed on or before the expiration of the [registration] license by [submitting the signed renewal notice, protocol form(s) and] attesting to the completed renewal application and submitting the fee to the board. The

[registration] license fee shall be the appropriate fee established by the board.

(2) The board shall mail an application for renewal to each person [registered] licensed in this state at the last known mailing address. The failure to mail the application or the failure to receive it does not, however, relieve any person of the duty to renew and to pay the fee required nor provide exemption from the penalties provided for failure to renew.

(3) All [registrants] licensees shall renew with the board on the application form furnished by the board before January 30 of the year in which such [registration] license is due for renewal.

(5) Any person practicing as an athletic trainer without a current [registration] license shall be subject to discipline under section 334.715, RSMo.

[(6) A registrant not actively engaged in the practice of athletic training, but who wishes to renew his/her registration must submit a statement advising the reason(s) why a protocol form is not completed.]

AUTHORITY: sections 334.125, RSMo 2000 and 334.706[, RSMo Supp. 1999] and 334.710, RSMo [1994] Supp. 2004. Original rule filed July 25, 2000, effective Dec. 30, 2000. Amended: Filed March 1, 2005.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts, Tina Steinman, Executive Director, PO Box 4, Jefferson City, MO 65102, by faxing (573) 751-3166 or by e-mailing healingarts@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 150—State Board of Registration for the Healing Arts

Chapter 6—[Registration] Licensure of Athletic Trainers

PROPOSED AMENDMENT

4 CSR 150-6.070 Name[,] and/or Address [and/or Physician Supervision] Changes. The board is amending the Chapter name, the original Purpose statement and sections (1), (2), and (3), and deleting section (4).

PURPOSE: This amendment changes the word “registration” to “licensure” pursuant to HB 1399 and SB 962 of the 92nd General Assembly (2004).

PURPOSE: This rule outlines the requirements and procedures athletic trainers must adhere to in notifying the board of name and/or address changes [or a change of team and/or consulting physician supervisor].

(1) All individuals practicing as a [registered] licensed athletic trainer under [registration] licensure issued by the board shall

ensure that his/her current [registration] licensure certificate bears the current legal name of that individual.

(2) A [registrant] licensee whose name has changed since [registration] licensure was issued must submit a copy of the legal document verifying the name change to the board within fifteen (15) days of such change.

(3) [Registrants] Licensees must submit written notification of any address change, home or business, to the board within fifteen (15) days of such change.

[(4) A registrant who has a change in their team physician and/or consulting physician shall submit to the board a new functional protocol form within fifteen (15) days of such change.]

AUTHORITY: section 334.706, RSMo Supp. [1999] 2004. Original rule filed July 25, 2000, effective Dec. 30, 2000. Amended: Filed March 1, 2005.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts, Tina Steinman, Executive Director, PO Box 4, Jefferson City, MO 65102, by faxing (573) 751-3166 or by e-mailing healingarts@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 150—State Board of Registration for the Healing Arts

Chapter 7—Licensing of Physician Assistants

PROPOSED AMENDMENT

4 CSR 150-7.135 Physician Assistant Supervision Agreements. The board is amending sections (3) and (7).

PURPOSE: This amendment proposes cleanup language so the board can properly enforce the statute.

(3) A supervising physician as designated pursuant to 4 CSR 150-7.100(4) or otherwise in the physician assistant supervision agreement shall at all times be immediately available to the licensed physician assistant for consultation, assistance, and intervention within the same office facility unless making follow-up patient examinations in hospitals, nursing homes and correctional facilities pursuant to section [334.735.9] 334.735.1(8), RSMo or unless practicing under federal law. No physician assistant shall practice without physician supervision or in any location where a supervising physician is not immediately available for consultation, assistance and intervention, except in an emergency situation, pursuant to federal law, or as provided in section 334.735.9, RSMo.

(7) A licensed physician assistant practicing pursuant to a physician assistant supervision agreement shall work in the same office facility as the supervising physician except as provided in section

[334.735(9)] 334.735.1(8), RSMo and 4 CSR 150-7.135(3) and (4).

AUTHORITY: section 334.735, RSMo Supp. [1998] 2004. Original rule filed Jan. 3, 1997, effective July 30, 1997. Rule Action Notice filed: July 7, 1998, effective July 21, 1999. Amended: Filed July 30, 1999, effective Feb. 29, 2000. Amended: Filed March 1, 2005.

PUBLIC COST: The proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: The proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Healing Arts, Tina Steinman, Executive Director, PO Box 4, Jefferson City, MO 65102, by faxing (573) 751-3166 or by e-mailing healingarts@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 4—DEPARTMENT OF ECONOMIC
DEVELOPMENT
Division 240—Public Service Commission
Chapter 3—Filing and Reporting Requirements**

PROPOSED AMENDMENT

4 CSR 240-3.130 Filing Requirements and Schedule of Fees for Applications for Approval of Electric Service Territorial Agreements and Petitions for Designation of Electric Service Areas. The commission is amending the title, Purpose and sections (1) and (2) and adding five (5) new sections.

PURPOSE: The changes proposed in this rule update and clarify the reporting requirements for electric utilities that file territorial agreements. It combines the filing fee requirements currently found in 4 CSR 240-3.135. It also adds petitions for designation of electric service areas to the title to clarify that this rule also applies to these petitions.

PURPOSE: This rule establishes requirements and schedule of fees that applications to the commission for approval of territorial agreements between electric service providers and petitions for designation of electric service areas must meet. As noted in the rule, additional requirements pertaining to such applications are set forth in 4 CSR 240-2.060(1) [and 4 CSR 240-3.135].

(1) In addition to the requirements of 4 CSR 240-2.060(1), applications for commission approval of territorial agreements [between electric service providers] and petitions for designation of electric service areas shall include:

(A) [A copy of the territorial agreement and a s]Specific designation of the boundary, [including] a map showing the boundary, and the legal description of the area that is the subject of the territorial agreement or petition for designation of electric service areas;

(B) A list of other electric utilities that serve in the affected area(s), if any;

[(B)](C) An illustrative tariff which reflects any changes in a regulated utility's operations or certification;

[(C)](D) An explanation as to why the territorial agreement or proposed electric service area designation(s) is in the public interest;

(E) A comparison of electric rates if the territorial agreement or the proposed electric service area designation(s) includes an exchange of customers;

[(D)](F) A list of all persons whose utility service would be changed by the [agreement] application or petition; and

[(E) A check for the initial filing fee set forth in 4 CSR 240-3.135.]

(G) A statement of the impact, if any, that the territorial agreement or proposed electric service area designation(s) will have on the tax revenues of the political subdivisions in which any structures, facilities or equipment of the utilities involved are located.

(2) Applications for commission approval of territorial agreements shall also include a copy of the territorial agreement.

[(2)](3) If any of the [items] information required by subsections (1)(A)-[(D)](G) of this rule [are] is unavailable at the time the application is filed, [they] the application must be accompanied by a statement of the reasons the information is currently unavailable and a date by which it will be furnished. All required information shall be furnished prior to the granting of the authority sought.

(4) The application or petition shall be accompanied by an initial filing fee in the amount of five hundred dollars (\$500).

(A) An application for commission review of proposed amendment(s) to an existing territorial agreement between electric service providers shall not be subject to the fee of five hundred dollars (\$500). However, the applicants shall be responsible for the payment of a fee which reflects necessary hearing time (including the minimum hearing time charge) and the transcript costs as specified in section (5) of this rule.

(5) In addition to the filing fee, the fee for commission review is set at six hundred eighty-five dollars (\$685) per hour of hearing time, subject to a minimum charge for hearing time of six hundred eighty-five dollars (\$685). There is an additional charge of three dollars and fifty cents (\$3.50) per page of transcript. These fees are in addition to the fees authorized by section 386.300, RSMo.

(6) The parties shall be responsible for payment of any unpaid fees on and after the effective date of the commission's report and order relating to the electric territorial agreement or petition for designation of service areas. The executive director shall send an itemized billing statement to the applicants on or after the effective date of the commission's report and order. Responsibility for payment of the fees shall be that of the parties to the proceeding as ordered by the commission in each case.

(7) On July 1 of each year, the filing fee and the fee per hour of evidentiary hearing time will be modified to match any percentage change in the Consumer Price Index for the twelve (12)-month period ending December 31 of the preceding year.

AUTHORITY: sections 386.250[, 386.800] and 394.312, RSMo 2000. Original rule filed Aug. 16, 2002, effective April 30, 2003. Amended: Filed Feb. 24, 2005.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service

Commission, Dale Hardy Roberts, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before May 9, 2005, and should include a reference to Commission Case No. EX-2003-0371. If comments are submitted via a paper filing, an original and eight (8) copies of the comments are required. Comments may also be submitted via a filing using the commission's electronic filing and information system at <<http://www.psc.state.mo.us/efis.asp>>. A public hearing regarding this proposed amendment is scheduled for May 18, 2005, at 10:00 a.m. in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions. Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.

Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 240—Public Service Commission

Chapter 3—Filing and Reporting Requirements

PROPOSED AMENDMENT

4 CSR 240-3.135 Filing Requirements and Schedule of Fees *Applicable to [Applications for Approval of Electric Service Territorial Agreements, Petitions for Designation of Electric Service Areas and] Applications for Resolution of Annexation-Related Disputes.* The commission is amending the title, Purpose, and adding two (2) new sections, deleting one (1) section and amending the remaining sections.

PURPOSE: *The changes in this amendment establish filing requirements for applications for resolution of annexation-related disputes. It removes references to filing fee requirements for territorial agreement filings because the requirement of these fees is being added to 4 CSR 240-3.130. It adds a filing fee for hearing time for applications for resolution of annexation-related disputes.*

PURPOSE: *This rule establishes the requirements that must be met and a schedule of fees for applications to the commission [review of proposed territorial agreements, petitions for commission designation of electric service areas, and annexation-related applications] for the resolution of annexation-related disputes regarding a municipality providing electric service outside of the municipality's corporate boundaries. As noted in the rule, additional requirements pertaining to such applications are set forth in 4 CSR 240-2.060(1).*

(1) In addition to the requirements of 4 CSR 240-2.060(1), applications for commission resolution of annexation-related disagreements shall include from each party:

(A) An explanation as to why the annexation is in the public interest;

(B) A specific designation of the boundary, a map showing the boundary and the legal description of the area that is in dispute;

(C) A comparison of the electric rates that currently apply to the annexed area and the rates if the proposed change of supplier is allowed;

(D) The fair and reasonable compensation to be paid by the municipally owned electric utility to the affected electric supplier with existing system operations within the annexed area, for any proposed acquisitions or transfers, including the valuation

formulas and factors used to calculate fair and reasonable compensation;

(E) Any effect on system operation, including, but not limited to, loss of load and loss of revenue;

(F) Any power contracts that the municipality has agreed to with the affected electric supplier to serve the annexed area;

(G) Any issues on which the municipally owned electric utility and the affected electric supplier agree;

(H) A copy of the newspaper notification, as well as notifications sent to any affected supplier;

(I) The impact, if any, that the annexation-related change of electrical supplier will have on the tax revenues of the political subdivisions in which any structures, facilities or equipment of the utilities involved are located; and

(J) A record of compliance with the deadlines for negotiation as outlined in section 386.800, RSMo.

(2) If any of the information required by subsections (1)(A)–(J) of this rule is unavailable at the time the application is filed, the application must be accompanied by a statement of the reasons the information is currently unavailable and a date by which it will be furnished. All required information shall be furnished prior to the granting of the authority sought.

[(1)](3) *[Commission review of a]*An application *[for a proposed territorial agreement, a petition for commission designation of electric service areas, or an application]* for resolution of an annexation-related dispute[,] shall be accompanied by an initial filing fee in the amount of five hundred dollars (\$500).

[(2)](4) In addition to the filing fee, the fee for commission review of an *[opposed]* application for *[approval of a proposed territorial agreement]* **resolution of an annexation-related dispute** between electric service providers is set at six hundred eighty-five dollars (\$685) per hour of hearing time, subject to a minimum charge for hearing time of six hundred eighty-five dollars (\$685). There is an additional charge of three dollars and fifty cents (\$3.50) per page of transcript. These fees are in addition to the fees authorized by section 386.300, RSMo.

[(3)](5) The parties shall be responsible for payment of any unpaid fees on and after the effective date of the commission's report and order relating to the *[electric territorial agreement, designation of service areas or]* annexation-related application. The executive director shall send an itemized billing statement to the applicants on or after the effective date of the commission's report and order. Responsibility for payment of the fees shall be that of the parties to the proceeding as ordered by the commission in each case.

[(4)] An application for commission review of proposed amendment(s) to an existing territorial agreement between electric service providers shall not be subject to the fee of five hundred dollars (\$500) specified in section (1) of this rule. However, the applicants shall be responsible for the payment of a fee which reflects necessary hearing time (including the minimum hearing time charge) and the transcript costs as specified in section (2) of this rule.]

[(5)](6) On July 1 of each year, the filing fee and the fee per hour of evidentiary hearing time will be modified to match any percentage change in the Consumer Price Index for the twelve (12)-month period ending December 31 of the preceding year.

AUTHORITY: *sections 386.250[,] and 386.800 [and 394.312], RSMo 2000. Original rule filed Aug. 16, 2002, effective April 30, 2003. Amended: Filed Feb. 24, 2005.*

***PUBLIC COST:** This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

***PRIVATE COST:** This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

***NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS:** Anyone may file comments in support of or in opposition to this proposed amendment with the Missouri Public Service Commission, Dale Hardy Roberts, Secretary of the Commission, PO Box 360, Jefferson City, MO 65102. To be considered, comments must be received at the commission's offices on or before May 9, 2005, and should include a reference to Commission Case No. EX-2003-0372. If comments are submitted via a paper filing, an original and eight (8) copies of the comments are required. Comments may also be submitted via a filing using the commission's electronic filing and information system at <<http://www.psc.state.mo.us/efis.asp>>. A public hearing regarding this proposed amendment is scheduled for May 18, 2005, at 10:00 a.m. in Room 310 of the Governor Office Building, 200 Madison Street, Jefferson City, Missouri. Interested persons may appear at this hearing to submit additional comments and/or testimony in support of or in opposition to this proposed amendment, and may be asked to respond to commission questions. Any persons with special needs as addressed by the Americans with Disabilities Act should contact the Missouri Public Service Commission at least ten (10) days prior to the hearing at one (1) of the following numbers: Consumer Services Hotline 1-800-392-4211 or TDD Hotline 1-800-829-7541.*

**Title 9—DEPARTMENT OF MENTAL HEALTH
Division 10—Director, Department of Mental Health
Chapter 5—General Program Procedures**

PROPOSED RULE

9 CSR 10-5.206 Report of Events

***PURPOSE:** This rule prescribes procedures for documenting, reporting, analyzing and addressing certain events that affect individuals in residential facilities, day programs or specialized services that are licensed, certified or funded by the Department of Mental Health as required by sections 630.005, 630.020, 630.165 and 630.655, RSMo.*

(1) The following words and terms, as used in this rule, mean:

(A) Consumer, individual receiving department funded or contracted services directly from any program or facility;

(B) Corrective Action Plan, the document a provider submits to the department in response to the results of an event or events which outlines those measures that are intended to reduce the likelihood that the event(s) will recur or to remediate a deficiency. Such actions include but are not limited to: removal of an individual receiving services or staff from a provider; staff training; improvements in the physical plant; revision of operating procedures;

(C) Department, the Department of Mental Health's local regional center, district administrator, or supported community living office, depending on the division providing service;

(D) Guardian, individual who is legally responsible for the care and custody of the consumer;

(E) "On call" system, procedure of the specific regional department personnel being available to receive notification of events during nonbusiness hours. A telephone number is provided to verbally relay this information to the individual representing the specific region and division providing service;

(F) Provider, a residential facility, day program or specialized service that is licensed, certified or funded by the Department of Mental

Health. Duties of the provider under this rule are the responsibility of the chief administrative officer of the residential facility, day program or specialized service, or his/her designee;

(G) Reportable events, those specific incidents and medication errors involving consumers identified on the applicable department report form dependent on the division of service; and

(H) Report form, Department of Mental Health form identifying reportable events and the timelines for reporting such events to the department. The form is used for data entry into the department Incident and Investigation Tracking System for statewide data collection. This form is identified as DMH-9719 A (Divisions of Alcohol and Drug Abuse and Comprehensive Psychiatric Services) or DMH-9719 B (Division of Mental Retardation/Developmental Disabilities), dependent on department division of service, which is included herein.

(2) This section applies to event notification and reporting requirements for employees of providers, as defined under section 630.005, RSMo.

(A) Providers must maintain written policies requiring their employees to report events under this regulation and those events identified in 9 CSR 10-5.200. The policies must make clear that administrative or disciplinary sanctions may result from failure to report. Providers must ensure that their employees and those who support the agency are educated about the department's notification and reporting requirements.

(B) It is the responsibility of the provider to—

1. Notify the department with a written or verbal report of all events reportable under this regulation involving consumers as identified on the report form. For those events requiring immediate notification, if a verbal report, it will be followed up in writing on the report form and faxed or otherwise transmitted to arrive within one (1) business day to the appropriate department office. All other events not requiring immediate notification shall be provided in writing on the report form in the time frame specified on the report form. If the provider feels strongly the department should be aware of an event, they may choose to report any event not specifically identified on the report form by selecting the section "Other";

2. Notify the department using the department's "on call" system after 5:00 p.m. or on weekends/holidays for those events on the report form requiring immediate department notification, and any event resulting in extensive property damage or major disruption of the program or service the consumer receives; and

3. Within twenty-four (24) hours of knowledge of an event that requires immediate department notification, verbally notify the legal guardian or parent (if consumer is a minor) of the specifics regarding the event. The provider shall also communicate that the event has been reported to the department. The only exception to this verbal notification is if the parent(s) or legal guardian is the suspected primary person involved that forms the basis for the reported event. If the provider is unable to verbally contact the guardian/parent, the provider shall document on the report form all efforts made to comply.

(3) The provider shall ensure that patterns and trends of reportable events, specific to a consumer, are included and addressed in the consumer's personal/treatment plan upon approval by the planning team. To the extent that specific consumer issues are identified, the department staff may meet with the provider to discuss action steps to address and resolve issues, including submission of corrective action plans.

(4) The department may request a corrective action plan be provided by the provider based on the facts surrounding the event. This plan is subject to approval by the department within a time frame specified by the department. This plan must be carried out as specified.

(5) Programs licensed or certified by the department must maintain internal records of similar events or information for individuals who do not receive department funded or contracted services, for purposes of quality review to assure that problems are identified and resolved. Nonidentifying event records or non-identifying analysis of these events must be available for review by the department as needed for monitoring or licensure/certification activities.

(6) Failure to follow the above referenced regulations may result in administrative sanctions up to and including contract cancellation or licensure/certification revocation.



Department of Mental Health
Incident and Investigation Tracking System- Event Report Form
(Community Report Form —ADA/CPS)

DIVISION: <input type="checkbox"/> Alcohol and Drug Abuse <input type="checkbox"/> Comprehensive Psychiatric Services		Program/Service type regarding consumer/Event (CPR, CSTAR, etc.)			
Consumer Name (Last) _____ (First) _____ (MI) _____		AGE _____	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> DMH ID#, <input type="checkbox"/> Medical Record #, <input type="checkbox"/> SSN# <small>(check one)</small>	
Address/Home _____					
Person(s) who witnessed or have direct knowledge of the event: (attach additional page if necessary)					
Last Name	First Name	Relationship to Consumer			
Event Date and Time		Discovery Date and Time			
Month _____	Day _____ Year _____ Time _____ : _____ AM PM	Month _____	Day _____ Year _____ Time _____ : _____ AM PM		
Event location or where discovered (be specific)		Name of Provider Agency/Organization involved in event:			
Reporter's Name (Last, First, MI)		Reporter's Phone Number	Reporter's Employer (Agency/Facility/Admin. Agent)		
Persons /Agencies Notified: (Check all that apply)					
	Name of Person Contacted	DATE	TIME	AM	PM
<input type="checkbox"/>	Family / Guardian				
<input type="checkbox"/>	Physician				
<input type="checkbox"/>	Law Enforcement				
<input type="checkbox"/>	DSS—Children's Division				
<input type="checkbox"/>	Division of Senior Services				
<input type="checkbox"/>	Dept. of Mental Health Notified				
<input type="checkbox"/>	911				
<input type="checkbox"/>	Other				
<input type="checkbox"/>	Other				
<input type="checkbox"/>	Other				
<input type="checkbox"/>	Other				

EVENT DESCRIPTION—(Describe what happened & attach additional page(s) if necessary)

Consumer Name _____		Event Date _____	
REPORTABLE EVENTS		All events identified below shall be recorded on this form and faxed within one business day to the appropriate Division of Alcohol and Drug Abuse District Administrator or Division of Comprehensive Psychiatric Services Supported Community Living Office. Abuse and neglect requires an immediate verbal or written report according to 9 CSR 10-5.200.	
<input type="checkbox"/> Consumer Death (Regardless of cause, including all known deaths of discharged consumers up to and including 30 days post-discharge from a residential program) <input type="checkbox"/> Elopement/Unauthorized Absence (The timeframe for reporting shall be when this absence raises reasonable concern for the safety of the consumer or others, or concern that the consumer will not return. For the Division of Alcohol and Drug Abuse, this applies to adolescents and involuntary commitments only) Alleged or Suspected Abuse/Neglect: <input type="checkbox"/> Alleged or Suspected Verbal Abuse <input type="checkbox"/> Alleged or Suspected Physical Abuse <input type="checkbox"/> Alleged or Suspected Sexual Abuse <input type="checkbox"/> Alleged or Suspected Neglect <input type="checkbox"/> Alleged or Suspected Misuse of Consumer Funds/Property Medication Error (Occurring in residential programs or programs in which medication is administered or self administration is observed by agency staff) <input type="checkbox"/> Moderate Medication Error: Treatment and/or intervention is needed in addition to monitoring or observation <input type="checkbox"/> Serious Medication Error: Life threatening and/or permanent adverse consequences <input type="checkbox"/> Serious Injury (Injury to a consumer requiring medical inpatient hospitalization) <input type="checkbox"/> Other _____			
IF DEATH, SUSPECTED MANNER:		<input type="checkbox"/> Accident <input type="checkbox"/> Homicide <input type="checkbox"/> Natural <input type="checkbox"/> Suicide <input type="checkbox"/> Unknown	
INJURY TYPE:		<input type="checkbox"/> Accident <input type="checkbox"/> Consumer Inflicted <input type="checkbox"/> Other Inflicted <input type="checkbox"/> Self-Inflicted <input type="checkbox"/> Staff Inflicted <input type="checkbox"/> Unknown	
Signature of Reporter _____		MM / DD / YR REPORT DATE	____ : ____ AM / PM REPORT TIME
<u>TO BE COMPLETED BY DEPARTMENT OF MENTAL HEALTH STAFF</u>			
Action Taken: <input type="checkbox"/> Inquiry <input type="checkbox"/> Local Investigation <input type="checkbox"/> Central Office Investigation <input type="checkbox"/> No Investigation			
Signature of ADA or CPS Staff: _____		Date: _____	
INCIDENT TYPE (TO BE COMPLETED BY DMH STAFF)			
<div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"> <input type="checkbox"/> Consumer Rights <input type="checkbox"/> Consumer Struck Object <input type="checkbox"/> Consumer Self Harm <input type="checkbox"/> Fall <input type="checkbox"/> Fire <input type="checkbox"/> Inappropriate language by staff toward consumer <input type="checkbox"/> Medical Emergency <input type="checkbox"/> Notification of death in the community <input type="checkbox"/> Physical altercation-consumer & consumer <input type="checkbox"/> Physical altercation-consumer & staff </div> <div style="width: 50%;"> <input type="checkbox"/> Property loss/destruction <input type="checkbox"/> Possession of drugs not prescribed <input type="checkbox"/> Possession of weapon <input type="checkbox"/> Sexual conduct-consumer & staff <input type="checkbox"/> Sexual conduct -- consumer non-consensual <input type="checkbox"/> Suicide Attempt <input type="checkbox"/> Theft <input type="checkbox"/> Vehicular accident <input type="checkbox"/> Other _____ </div> </div>			
NOTES: <div style="height: 150px; border: 1px solid black;"></div>			

DMH-9719B

Consumer Name _____		Event Date _____	
16. MEDICATION ERROR CATEGORY (Check all that apply) <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Failure to Administer <input type="checkbox"/> Medication not Available <input type="checkbox"/> No Physician Order <input type="checkbox"/> Wrong Dose <input type="checkbox"/> Wrong Form </div> <div> <input type="checkbox"/> Wrong Medication <input type="checkbox"/> Wrong Person <input type="checkbox"/> Wrong Route <input type="checkbox"/> Wrong Time </div> </div>		17. MEDICATION ERROR SEVERITY RATING <input type="checkbox"/> Minimal: No treatment or intervention other than monitoring or observation <u>Notification and written report to regional center within five (5) working days of discovery</u> <input type="checkbox"/> Moderate: Treatment and/or interventions in addition to monitoring or observation <input type="checkbox"/> Serious: Life Threatening and/or permanent adverse consequences	
18. EVENT/ INCIDENT TYPE (Select incident that occurred)		19. DID THE EVENT RESULT IN	
<div style="display: flex;"> <div style="flex: 1;"> <input type="checkbox"/> Choking <input type="checkbox"/> Consumer Rights <input type="checkbox"/> Consumer Struck Object <input type="checkbox"/> Elopement/Unauthorized Absence <input type="checkbox"/> Fall <input type="checkbox"/> Fire <input type="checkbox"/> Inappropriate language by staff toward consumer <input type="checkbox"/> Ingestion of non-food item <input type="checkbox"/> Medical Emergency <input type="checkbox"/> Misuse of consumer funds/property <input type="checkbox"/> Physical altercation-consumer & non-staff </div> <div style="flex: 1;"> <input type="checkbox"/> Physical altercation-consumer & consumer <input type="checkbox"/> Physical altercation-consumer & staff <input type="checkbox"/> Possession of weapon <input type="checkbox"/> Property loss/destruction <input type="checkbox"/> Sexual Conduct-consumer non-consensual <input type="checkbox"/> Sexual Conduct-consumer & staff <input type="checkbox"/> Suicide Attempt <input type="checkbox"/> Theft by Consumer <input type="checkbox"/> Vehicular Accident <input type="checkbox"/> Other _____ </div> </div>		<div style="display: flex;"> <div style="flex: 1;"> Report the following incidents only if <ul style="list-style-type: none"> • unusual and not being addressed in the personal plan; • there is an injury; or • there is an allegation/suspicion of neglect. <input type="checkbox"/> Consumer Self Harm <input type="checkbox"/> Graphic Threat of Harm <input type="checkbox"/> Seizures </div> <div style="flex: 1;"> Check All that apply <input type="checkbox"/> Injury <input type="checkbox"/> Use of Physical Restraint <input type="checkbox"/> Administration of PRN Psychotropic Med <input type="checkbox"/> Hospitalization-Non-injury <input type="checkbox"/> Not Applicable If injury complete 20, 21-22, 23 </div> </div>	
20. INJURY TYPE <input type="checkbox"/> Accident <input type="checkbox"/> Consumer Inflicted <input type="checkbox"/> Other Inflicted <input type="checkbox"/> Self Inflicted <input type="checkbox"/> Staff inflicted <input type="checkbox"/> Unknown			
21. INJURY SEVERITY: <input type="checkbox"/> No Treatment <input type="checkbox"/> Minor First Aid <u>Notification and written report to regional center within five (5) working days of incident.</u> <input type="checkbox"/> Medical Intervention <input type="checkbox"/> Hospitalization <input type="checkbox"/> Death			
22. INJURY DESCRIPTION (CHECK ALL THAT APPLY)		23. INJURED BODY PARTS (CHECK ALL THAT APPLY)	
<div style="display: flex;"> <div style="flex: 1;"> <input type="checkbox"/> Abrasion <input type="checkbox"/> Bite <input type="checkbox"/> Bruise <input type="checkbox"/> Burn <input type="checkbox"/> Complaint of Pain <input type="checkbox"/> Cut <input type="checkbox"/> Concussion <input type="checkbox"/> Dislocation <input type="checkbox"/> Fracture/Break </div> <div style="flex: 1;"> <input type="checkbox"/> Frostbite <input type="checkbox"/> Heat related illness <input type="checkbox"/> Poisoning <input type="checkbox"/> Puncture <input type="checkbox"/> Scratches <input type="checkbox"/> Strain/Sprain <input type="checkbox"/> Swelling <input type="checkbox"/> Other (specify) _____ </div> </div>		<div style="display: flex; flex-wrap: wrap;"> <div style="flex: 1; min-width: 150px;"> <input type="checkbox"/> Head <input type="checkbox"/> Face <input type="checkbox"/> Eye <input type="checkbox"/> Ear <input type="checkbox"/> Nose <input type="checkbox"/> Mouth <input type="checkbox"/> Teeth <input type="checkbox"/> Neck </div> <div style="flex: 1; min-width: 150px;"> <input type="checkbox"/> Shoulder <input type="checkbox"/> Upper Arm <input type="checkbox"/> Elbow <input type="checkbox"/> Forearm <input type="checkbox"/> Wrist <input type="checkbox"/> Hand <input type="checkbox"/> Chest </div> <div style="flex: 1; min-width: 150px;"> <input type="checkbox"/> Upper Back <input type="checkbox"/> Lower Back <input type="checkbox"/> Abdomen <input type="checkbox"/> Waist <input type="checkbox"/> Hip <input type="checkbox"/> Genitals <input type="checkbox"/> Buttock <input type="checkbox"/> Thigh </div> <div style="flex: 1; min-width: 150px;"> <input type="checkbox"/> Knee <input type="checkbox"/> Calf <input type="checkbox"/> Shin <input type="checkbox"/> Ankle <input type="checkbox"/> Foot </div> </div>	
<div style="display: flex;"> <div style="flex: 1;"> FINGERS <input type="checkbox"/> Thumb <input type="checkbox"/> Index <input type="checkbox"/> Middle <input type="checkbox"/> Ring <input type="checkbox"/> Little </div> <div style="flex: 1;"> TOES <input type="checkbox"/> Big <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd <input type="checkbox"/> 4th <input type="checkbox"/> Little </div> </div>			
24. IMMEDIATE ACTION TAKEN BY AGENCY AND ACTION STEPS TO PREVENT REOCCURENCE (To be completed by agency management)			
25. Signature-Reporter _____		Phone Number () _____	
		Date ____/____/____ : ____ <input type="checkbox"/> AM <input type="checkbox"/> PM	
26. Signature-Agency Management/Supervisor _____		Date _____	
27. Signature-Service Coordinator _____		Date _____	
28. Signature-Other DMH Staff _____		Date _____	
29. ACTION/ COMMENTS (To be completed by DMH)			
Suspicion or Allegation of Abuse, Neglect or Misuse of Consumer Funds/Property? <input type="checkbox"/> YES <input type="checkbox"/> NO <i>If yes, must be entered into LIS within 24 hours</i>			
Suspected Manner of Death <input type="checkbox"/> ACCIDENT <input type="checkbox"/> HOMICIDE <input type="checkbox"/> NATURAL <input type="checkbox"/> SUICIDE <input type="checkbox"/> UNDETERMINED			

AUTHORITY: sections 630.005, 630.020 and 630.655, RSMo 2000 and 630.165, RSMo Supp. 2004. Original rule filed March 1, 2005.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule by writing to Scott Giovanetti, Investigations Program Director, Department of Mental Health, PO Box 687, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions, Sampling
and Reference Methods and Air Pollution Control
Regulations for the Entire State of Missouri**

PROPOSED AMENDMENT

10 CSR 10-6.070 New Source Performance Regulations. The commission proposes to amend subsections (1)(A) and (1)(C) and section (3). If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency for delegation of enforcement authority. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address and phone number listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, <http://www.dnr.mo.gov/regs/regagenda.htm>.

PURPOSE: This rule establishes acceptable design and performance criteria for specified new or modified emission sources. The purpose of this rulemaking is to amend 10 CSR 10-6.070 to incorporate 40 CFR part 60 subparts promulgated or amended between January 1, 2002 and June 30, 2003 and clarify the applicability section intent. The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, is: elements of the State/EPA work plan and Title V Operating Permit Program requirements.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Applicability.

(A) The provisions of 40 CFR part 60[, as of] **promulgated June 30, [2002] 2003[, shall apply and are adopted by reference as part of] and hereby incorporated by reference in this rule, as published by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, D.C. 20408. This rule does not incorporate any subsequent amendments or additions.**

(C) Where emission limitations, test procedure or other requirements found in both subsection (1)(A) of this rule and in another rule

under Title 10 Division 10 of the *Code of State Regulations* are applicable to an emission source, the more restrictive *[of each emission limitation, the more accurate test procedure or the more restrictive]* rule requirement shall be applied.

(3) General Provisions. The following are the New Source Performance Standards (NSPS) 40 CFR part 60 subparts that are adopted by reference in **subsection (1)(A) of this rule**. Individual source operations or installations in these categories are subject to this rule based on date of commencement of construction and other category specific parameters, as specified in the applicable subpart:

Subpart Title

- (D) Fossil-Fuel Fired Steam Generators
- (Da) Electric Utility Steam Generating Units
- (Db) Industrial-Commercial-Institutional Steam Generating Units
- (Dc) Small Industrial-Commercial-Institutional Steam Generating Units
- (E) Incinerators
- (Ea) Municipal Waste Combustors constructed after December 20, 1989, and on or before September 20, 1994
- (Eb) Municipal Waste Combustors constructed after September 20, 1994
- (Ec) Hospital/Medical/Infectious Waste Incinerators constructed after June 20, 1996
- (F) Portland Cement Plants
- (G) Nitric Acid Plants
- (H) Sulfuric Acid Plants
- (I) Asphalt Concrete Plants
- (J) Petroleum Refineries
- (K) Storage Vessels for Petroleum Liquids after June 11, 1973
- (Ka) Storage Vessels for Petroleum Liquids
- (Kb) Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) after July 23, 1984
- (L) Secondary Lead Smelters
- (M) Secondary Brass and Bronze Production Plants
- (N) Primary Emissions from Basic Oxygen Process Furnaces
- (Na) Secondary Emissions from Basic Oxygen Process Steelmaking Facilities
- (O) Sewage Treatment Plants
- (P) Primary Copper Smelters
- (Q) Primary Zinc Smelters
- (R) Primary Lead Smelters
- (S) Primary Aluminum Reduction Plants
- (T) Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants
- (U) Phosphate Fertilizer Industry: Super-phosphoric Acid Plants
- (V) Phosphate Fertilizer Industry: Diammonium Phosphate Plants
- (W) Phosphate Fertilizer Industry: Triple Superphosphate Plants
- (X) Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities
- (Y) Coal Preparation Plants
- (Z) Ferroalloy Production Facilities
- (AA) Steel Plants: Electric Arc Furnaces
- (AAa) Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels
- (BB) Kraft Pulp Mills
- (CC) Glass Manufacturing Plants
- (DD) Grain Elevators
- (EE) Surface Coating of Metal Furniture
- (GG) Stationary Gas Turbines
- (HH) Lime Manufacturing Plants
- (KK) Lead-Acid Battery Manufacturing Plants
- (LL) Metallic Mineral Processing Plants
- (MM) Automobile and Light-Duty Truck Surface Coating Operations
- (NN) Phosphate Rock Plants
- (PP) Ammonium Sulfate Manufacture

(QQ) Graphic Arts Industry: Publication Rotogravure Printing
 (RR) Pressure Sensitive Tape and Label Surface Coating Operations
 (SS) Industrial Surface Coating: Large Appliances
 (TT) Metal Coil Surface Coating
 (UU) Asphalt Processing and Asphalt Roofing Manufacture
 (VV) Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry
 (WW) Beverage Can Surface Coating Industry
 (XX) Bulk Gasoline Terminals
 (AAA) New Residential Wood Heaters
 (BBB) Rubber Tire Manufacturing Industry
 (DDD) Polymer Manufacturing Industry
 (FFF) Flexible Vinyl and Urethane Coating and Printing
 (GGG) Equipment Leaks of VOC in Petroleum Refineries
 (HHH) Synthetic Fiber Production Facilities
 (III) VOC Emissions from SOCM I Air Oxidation Unit Processes
 (JJJ) Petroleum Dry Cleaners
 (KKK) Equipment Leaks of VOC From Onshore Natural Gas Processing Plants
 (LLL) Onshore Natural Gas Processing/—/: SO₂ Emissions
 (NNN) VOC Emissions from SOCM I Distillation Operations
 (OOO) Nonmetallic Mineral Processing Plants
 (PPP) Wool Fiberglass Insulation Manufacturing Plants
 (QQQ) VOC Emissions From Petroleum Refinery Wastewater Systems
 (RRR) Synthetic Organic Chemical Manufacturing Reactor Processes
 (SSS) Magnetic Tape Coating Facilities
 (TTT) Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines
 (UUU) Calciners and Dryers in Mineral Industries
 (VVV) Polymeric Coating of Supporting Substrates Facilities
 (WWW) Municipal Solid Waste Landfills
 (AAAA) Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001
 (CCCC) Commercial and Industrial Solid Waste Incineration Units for Which Construction Is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001

AUTHORITY: section 643.050, RSMo 2000. Original rule filed Dec. 10, 1979, effective April 11, 1980. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Feb. 17, 2005.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., May 26, 2005. The public hearing will be held at the Holiday Inn Westport, Plaza 2 Room, 1973 Craigshire Road, St. Louis, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Director, Missouri Department of Natural Resources' Air Pollution Control Program, 205 Jefferson Street, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., June 2, 2005. Written comments shall be sent to Chief, Operations Section, Missouri Department of Natural Resources' Air Pollution

Control Program, 205 Jefferson Street, PO Box 176, Jefferson City, MO 65102-0176.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
 Division 10—Air Conservation Commission
 Chapter 6—Air Quality Standards, Definitions, Sampling
 and Reference Methods and Air Pollution Control
 Regulations for the Entire State of Missouri**

PROPOSED AMENDMENT

10 CSR 10-6.075 Maximum Achievable Control Technology Regulations. The commission proposes to amend subsections (1)(A) and section (3); add new subsection (1)(B); and renumber and amend subsections (1)(B) and (1)(C). If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency for delegation of enforcement authority. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address and phone number listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, <http://www.dnr.mo.gov/regs/regagenda.htm>.

PURPOSE: This rule establishes emission control technology, performance criteria and work practices to achieve emission standards for sources that emit or have the potential to emit hazardous air pollutants. The purpose of this rulemaking is to amend 10 CSR 10-6.075 to incorporate 40 CFR part 63 subparts promulgated or amended between January 1, 2002 and June 30, 2003 and clarify the applicability section intent. The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, is: elements of the State/EPA work plan and Title V Operating Permit Program requirements.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Applicability.

(A) The provisions of 40 CFR part 63 [as of] **promulgated** June 30, [2002] **2003**], with the exception of those provisions which are not delegable by the United States Environmental Protection Agency (EPA) shall apply and are adopted by reference as part of] and hereby incorporated by reference in this rule, as published by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, D.C. 20408. This rule does not incorporate any subsequent amendments or additions.

(B) Exceptions to the adoption are as follows:

1. Sections 63.13 and 60.15(a)(2) of subpart A; and
2. Those provisions which are not delegable by United States Environmental Protection Agency (EPA). Examples of these include alternative or equivalent methods (for example, sections 63.102(b), 63.150(I)(1) through (I)(4), and 63.177).

[[B)]](C) In addition to complying with the provisions of this rule, affected sources may be required to obtain an operating permit pursuant to Title V of the Clean Air Act Amendments or 10 CSR 10-6.065.

[[C)]](D) Where emission limitations, test procedures or other requirements found in both subsection (1)(A) of this rule and in

another rule under Title 10 Division 10 of the *Code of State Regulations* are applicable to an emission source, the more restrictive [emission limitation, the more accurate test procedure or the more restrictive] rule requirement shall be applied.

(3) General Provisions. The following are the Maximum Achievable Control Technology (MACT) 40 CFR part 63 subparts that are adopted by reference in **subsection (1)(A)** of this rule. Individual source operations or installations in these categories are subject to this rule based on category specific parameters, as specified in the applicable subpart:

Subpart Title

(F) National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry

(G) National Emission Standards for Organic Hazardous Air Pollutants From the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater

(H) National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks

(I) National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks

(L) National Emission Standards for Coke Oven Batteries

(M) National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities

(N) National Emission Standards for Chromium Emissions From Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks

(O) Ethylene Oxide Emissions Standards for Sterilization Facilities

(Q) National Emission Standards for Hazardous Air Pollutants for Industrial Process Cooling Towers

(R) National Emission Standards for Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations)

(S) National Emission Standards for Hazardous Air Pollutants from the Pulp and Paper Industry

(T) National Emission Standards for Halogenated Solvent Cleaning

(U) National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins

(W) National Emission Standards for Hazardous Air Pollutants for Epoxy Resins Production and Non-Nylon Polyamides Production

(X) National Emission Standards for Hazardous Air Pollutants From Secondary Lead Smelting

(Y) National Emission Standards for Marine Tank Vessel Loading Operations

(AA) National Emission Standards for Hazardous Air Pollutants From Phosphoric Acid Manufacturing Plants

(BB) National Emission Standards for Hazardous Air Pollutants From Phosphate Fertilizers Production Plants

(CC) National Emission Standards for Hazardous Air Pollutants from Petroleum Refineries

(DD) National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations

(EE) National Emission Standards for Magnetic Tape Manufacturing Operations

(GG) National Emission Standards for Aerospace Manufacturing and Rework Facilities

(HH) National Emission Standards for Hazardous Air Pollutants From Oil and Natural Gas Production Facilities

(II) National Emission Standards for Shipbuilding & Ship Repair (Surface Coating)

(JJ) National Emission Standards for Wood Furniture Manufacturing Operations

(KK) National Emission Standards for the Printing and Publishing Industry

(LL) National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants

(MM) National Emission Standards for Hazardous Air Pollutants for Chemical Recovery Combustion Sources at Kraft, Soda, Sulfite, and Stand-Alone Semichemical Pulp Mills

(OO) National Emission Standards for Tanks—Level 1

(PP) National Emission Standards for Containers

(QQ) National Emission Standards for Surface Impoundments

(RR) National Emission Standards for Individual Drain Systems

(SS) National Emission Standards for Closed Vent Systems, Control Devices, Recovery Devices and Routing to a Fuel Gas System or a Process

(TT) National Emission Standards for Equipment Leaks—Control Level 1

(UU) National Emission Standards for Equipment Leaks—Control Level 2 Standards

(VV) National Emission Standards for Oil-Water Separators and Organic-Water Separators

(WW) National Emission Standards for Storage Vessels (Tanks)—Control Level 2

(YY) National Emission Standards for Hazardous Air Pollutants for Source Categories: Generic Maximum Achievable Control Technology Standards

(CCC) National Emission Standards for Hazardous Air Pollutants for Steel Pickling-HCl Process Facilities and Hydrochloric Acid Regeneration Plants

(DDD) National Emission Standards for Hazardous Air Pollutants for Mineral Wool Production

(EEE) National Emission Standards for Hazardous Air Pollutants From Hazardous Waste Combustors

(GGG) National Emission Standards for Pharmaceuticals Production

(HHH) National Emission Standards for Hazardous Air Pollutants From Natural Gas Transmission and Storage Facilities

(III) National Emission Standards for Hazardous Air Pollutants for Flexible Polyurethane Foam Production

(JJJ) National Emission Standards for Hazardous Air Pollutant Emissions: Group IV Polymers and Resins

(LLL) National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry

(MMM) National Emission Standards for Hazardous Air Pollutants for Pesticide Active Ingredient Production

(NNN) National Emission Standards for Hazardous Air Pollutants for Wool Fiberglass Manufacturing

(OOO) National Emission Standards for Hazardous Air Pollutant Emissions: Manufacture of Amino/Phenolic Resins

(PPP) National Emission Standards for Hazardous Air Pollutant Emissions for Polyether Polyols Production

(QQQ) National Emission Standards for Hazardous Air Pollutant Emissions for Primary Copper Smelting

(RRR) National Emission Standards for Hazardous Air Pollutants: Secondary Aluminum Production

(TTT) National Emission Standards for Hazardous Air Pollutants for Primary Lead Smelting

(UUU) National Emission Standards for Hazardous Air Pollutants for Petroleum Refineries: Catalytic Cracking Units, Catalytic Reforming Units, and Sulfur Recovery Units

(VVV) National Emission Standards for Hazardous Air Pollutants: Publicly Owned Treatment Works

(XXX) National Emission Standards for Hazardous Air Pollutants for Ferroalloys Production: Ferromanganese and Silicomanganese

(AAAA) National Emission Standards for Hazardous Air Pollutants: Municipal Solid Waste Landfills

(CCCC) National Emission Standards for Hazardous Air Pollutants: Manufacturing of Nutritional Yeast

(GGGG) National Emission Standards for Hazardous Air Pollutants: Solvent Extraction for Vegetable Oil Production

(HHHH) National Emission Standards for Hazardous Air Pollutants for Wet-Formed Fiberglass Mat Production

(JJJJ) National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating

(NNNN) National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances

(OOOO) National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles

(QQQQ) National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products

(RRRR) National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Furniture

(SSSS) National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Coil

(TTTT) National Emission Standards for Hazardous Air Pollutants for Leather Finishing Operations

(UUUU) National Emission Standards for Hazardous Air Pollutants for Cellulose Products Manufacturing

(VVVV) National Emission Standards for Hazardous Air Pollutants for Boat Manufacturing

(WWWW) National Emission Standards for Hazardous Air Pollutants: Reinforced Plastic Composites Production

(XXXX) National Emission Standards for Hazardous Air Pollutants: Rubber Tire Manufacturing

(BBBBB) National Emission Standards for Hazardous Air Pollutants for Semiconductor Manufacturing

(CCCCC) National Emission Standards for Hazardous Air Pollutants for Coke Ovens: Pushing, Quenching, and Battery Stacks

(DDDDD) National Emission Standards for Hazardous Air Pollutants: Asphalt Processing and Asphalt Roofing Manufacturing

(FFFFF) National Emission Standards for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities

(JJJJJ) National Emission Standards for Hazardous Air Pollutants for Brick and Structural Clay Products Manufacturing

(KKKKK) National Emission Standards for Hazardous Air Pollutants for Clay Ceramics Manufacturing

(MMMMM) National Emission Standards for Hazardous Air Pollutants: Flexible Polyurethane Foam Fabrication Operations

(NNNNN) National Emission Standards for Hazardous Air Pollutants: Hydrochloric Acid Production

(PPPPP) National Emission Standards for Hazardous Air Pollutants for Engine Test Cells/Standards

(QQQQQ) National Emission Standards for Hazardous Air Pollutants for Friction Materials Manufacturing Facilities

AUTHORITY: section 643.050, RSMo 2000. Original rule filed May 1, 1996, effective Dec. 30, 1996. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Feb. 17, 2005.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., May 26, 2005. The public hearing will be held at the Holiday Inn Westport, Plaza 2 Room, 1973 Craigshire Road, St. Louis, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Director, Missouri Department of Natural Resources' Air Pollution Control

Program, 205 Jefferson Street, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not heard, may submit a written statement of their views until 5:00 p.m., June 2, 2005. Written comments shall be sent to Chief, Operations Section, Missouri Department of Natural Resources' Air Pollution Control Program, 205 Jefferson Street, PO Box 176, Jefferson City, MO 65102-0176.

Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 10—Air Conservation Commission
Chapter 6—Air Quality Standards, Definitions, Sampling and Reference Methods and Air Pollution Control
Regulations for the Entire State of Missouri

PROPOSED AMENDMENT

10 CSR 10-6.080 Emission Standards for Hazardous Air Pollutants. The commission proposes to amend sections (1) and (3). If the commission adopts this rule action, it will be submitted to the U.S. Environmental Protection Agency for delegation of enforcement authority. The evidence supporting the need for this proposed rulemaking is available for viewing at the Missouri Department of Natural Resources' Air Pollution Control Program at the address and phone number listed in the Notice of Public Hearing at the end of this rule. More information concerning this rulemaking can be found at the Missouri Department of Natural Resources' Environmental Regulatory Agenda website, http://www.dnr.mo.gov/reg/reg_agenda.htm.

PURPOSE: This rule establishes emission standards and performance criteria for new or modified sources emitting hazardous air pollutants. The purpose of this rulemaking is to amend 10 CSR 10-6.080 to incorporate 40 CFR part 61 subparts promulgated or amended between January 1, 2002 and June 30, 2003 and clarify the applicability section intent. The evidence supporting the need for this proposed rulemaking, per section 536.016, RSMo, is: elements of the State/EPA work plan and Title V Operating Permit Program requirements.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) Applicability.

(A) The provisions of 40 CFR part 61[, as of] promulgated June 30, [2002] 2003[, shall apply and are adopted by reference as part of] and hereby incorporated by reference in this rule, as published by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, D.C. 20408. This rule does not incorporate any subsequent amendment or additions.

(B) Exceptions to the adoption are as follows: [section 61.4, 61.16, 61.17, subparts B, II, I, K, W, Q, R, T and those provisions which are not delegable by United States Environmental Protection Agency (EPA). Authorities which may not be delegated include 40 CFR 61.04(b), 61.12(d)(1), 61.13(h)(1)(ii), 61.112(e)(2), 61.164(a)(3), 61.172(b)(2)(ii)(B), 61.172(b)(2)(iii)(C), 61.174(a)(2), 61.174(a)(3), 61.242-1(c)(2), 61.244, and all authorities listed ar not delegable in each subpart under Delegates of Authority.]

1. Sections 60.4, 60.16 and 60.17 of subpart A;
2. Subparts B, H, I, K, Q, R, T, and W in their entirety;
and

3. Those provisions which are not delegate by United States Environmental Protection Agency (EPA). Examples of these include alternative or equivalent methods (for example, sections 61.12(d)(1), 61.13(h)(1)(ii), 61.112(c), 61.164(a)(2), 61.164(a)(3), and 61.244).

(C) Where emission limitations, test procedures or other requirements found in subsection (1)(A) of this rule and in another rule under Title 10 Division 10 of the *Code of State Regulations* are applicable to an emission source, the more restrictive [emission limitation, the more accurate test procedure of the more restrictive] rule requirements shall be applied.

(3) The following are the National Emission Standards for Hazardous Air Pollutants (NESHAPs) 40 CFR part 61 subparts that are adopted by reference in subsection (1)(A) of this rule. Individual sources, operations or installations in these categories are subject to this rule based on date of commencement of construction and other category specific parameters, as specified in the applicable subpart:

Subpart Title

- (C) National Emission Standard for Beryllium
- (D) National Emission Standard for Beryllium Rocket Motor Firing
- (E) National Emission Standard for Mercury
- (F) National Emission Standard for Vinyl Chloride
- (J) National Emission Standard for Equipment Leaks (Fugitive Emission Sources) of Benzene
- (L) National Emission Standard for Benzene Emissions from Coke By-Product Recovery Plants
- (M) National Emission Standard for Asbestos
- (N) National Emission Standard for Inorganic Arsenic Emissions From Glass Manufacturing Plants
- (O) National Emission Standard for Inorganic Arsenic Emissions From Primary Copper Smelters
- (P) National Emission Standard for Inorganic Arsenic Emissions From Arsenic Trioxide and Metallic Arsenic Production Facilities
- (V) National Emission Standard for Equipment Leaks (Fugitive Emission Sources)
- (Y) National Emission Standards for Benzene Emissions From Benzene Storage Vessels
- (BB) National Emission Standards for Benzene Emissions From Benzene Transfer Operations
- (FF) National Emission Standard for Benzene Waste Operations

AUTHORITY: section 643.050, RSMo 2000. Original rule filed Dec. 10, 1979, effective April 11, 1980. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Feb. 17, 2005.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE OF PUBLIC HEARING AND NOTICE TO SUBMIT COMMENTS: A public hearing on this proposed amendment will begin at 9:00 a.m., May 26, 2005. The public hearing will be held at the Holiday Inn Westport, Plaza 2 Room, 1973 Craigshire Road, St. Louis, Missouri. Opportunity to be heard at the hearing shall be afforded any interested person. Written request to be heard should be submitted at least seven (7) days prior to the hearing to Director, Missouri Department of Natural Resources' Air Pollution Control Program, 205 Jefferson Street, PO Box 176, Jefferson City, MO 65102-0176, (573) 751-4817. Interested persons, whether or not

heard, may submit a written statement of their views until 5:00 p.m., June 2, 2005. Written comments shall be sent to Chief, Operations Section, Missouri Department of Natural Resources' Air Pollution Control Program, 205 Jefferson Street, PO Box 176, Jefferson City, MO 65102-0176.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 405—Homestead Preservation Credit**

PROPOSED RULE

12 CSR 10-405.100 Homestead Preservation Credit—Procedures

PURPOSE: This rule establishes the procedures for implementation of the Homestead Preservation Credit created by section 137.106, RSMo.

(1) Definition of Terms.

(A) Application year—the calendar year in which the application for property tax credit is filed.

(B) Assessor—the county assessor for the county in which the homestead is located.

(C) Credit year—the calendar year immediately following the application year.

(D) Department—the Missouri Department of Revenue.

(E) Homestead—the dwelling in Missouri owned and occupied by a taxpayer and up to five (5) acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. The dwelling may be a mobile home.

(F) Homestead Preservation Credit—the credit provided pursuant to section 137.106, RSMo.

(G) Levy codes—the nine (9)-digit number used by the Missouri state auditor in the annual property tax compliance report.

(H) Prior year—the calendar year immediately preceding the application year.

(I) Homestead exemption limit—a single, statewide percentage increase in property tax liability from the prior year to the credit year.

(J) Verified eligible owners—taxpayers who have met the qualifications for the Homestead Preservation Credit.

(2) Application of Rule.

(A) A taxpayer must complete an application on the form prescribed by the department. The taxpayer must obtain from the assessor the information the assessor is required to provide on the form. The taxpayer must submit the properly completed application to the department between April 1 and September 30 of the application year. An application postmarked on or before September 30 is timely.

(B) Upon presentation by the taxpayer, the assessor must complete the portion of the application designated for completion by the assessor using the levy codes applicable to the homestead. If an application is presented to the assessor for completion before the assessor has all the information necessary to complete the application, the assessor may hold the application until the information is available and forward the application to the department when it is completed. If the assessor elects to hold the application and forward it to the department, the assessor must submit the properly completed application to the department between April 1 and September 30 of the application year or the application will be denied.

(C) Upon receipt of the application, the department will determine if the taxpayer is a verified eligible owner. The department must provide a list of all verified eligible owners to the county collectors, or

in township counties, the county clerk, by December 15 of the application year. By January 15 of the credit year, the collectors or township clerks must provide the department with a list of verified eligible owners who failed to pay property taxes due for the application year, which owners shall be disqualified from receiving property tax credit in the current tax year. If a collector, or a clerk in a township county, is unable to provide this information to the department by January 15 of the credit year, the collector or clerk must provide the information as soon as possible and in no event later than April 1 of the credit year.

(D) The Department of Revenue will calculate the level of appropriations necessary to set the homestead exemption limit for all verifiable homestead owners as follows:

1. In odd application years, the appropriation amount will be the total of all levy amounts for the application year that exceed a five percent (5%) increase from the prior year's levy on each qualifying homestead property, plus one-quarter of one percent (1/4 of 1%) of the total; and

2. In even application years, the appropriation amount will be the total of all levy amounts for the application year that exceed a two and one-half percent (2.5%) increase from the prior year's levy on each qualifying property, plus one-quarter of one percent (1/4 of 1%) of the total.

(E) The department will provide the appropriation calculation to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Director of the Office of Budget and Planning by January 31 of the credit year. The department will provide an updated calculation, if necessary, no later than April 10 of the credit year.

(F) If funds are appropriated for the Homestead Preservation Credit, the department will set the homestead exemption limit by July 31 of the credit year. If no appropriation is made, then no Homestead Preservation Credit shall apply in that year.

(G) After setting the homestead exemption limit, the department will calculate the credit, if any, applicable to each verified eligible owner. By August 31 of the credit year, the department will send to county collectors and township county clerks:

1. A list of verified eligible owners;
2. The amount of each credit;
3. The certified parcel number of the homestead; and
4. The address of the homestead property.

(H) The department will instruct the state treasurer to distribute the appropriation to the collector's fund in each county to exactly offset the homestead exemption credit being issued, plus one-quarter of one percent (1/4 of 1%) to the county assessment fund. The funds shall be forwarded to the collectors and clerks of township counties by October 1 of the credit year.

(I) In the event an applicant dies or transfers ownership of the homestead property after application but prior to the mailing of the tax bill in the credit year, the credit is void and any money allotted for a credit on the property tax for that property lapses to the state to be credited to the general revenue fund.

AUTHORITY: section 137.106, RSMo. Supp. 2004. Emergency rule filed March 10, 2005, effective March 20, 2005, expires Sept. 16, 2005. Original rule filed March 10, 2005.

PUBLIC COST: The proposed rule is estimated to cost the state two hundred eighty-one thousand one hundred twenty-one dollars (\$281,121) in FY05, four hundred fifty-three thousand six hundred forty-eight dollars (\$453,648) in FY06, and four hundred fifty thousand four hundred fifteen dollars (\$450,415) in FY07. It is estimated that the cost for county officials is one (1) million dollars. The cost for the actual credits cannot be determined at this time. The increase in tax rates statewide and the number of applicants will determine the appropriation amount.

PRIVATE COST: The proposed rule is estimated to cost private entities \$3,324,000 in the aggregate with that cost recurring annually over the life of the rule. These return preparation costs directly related to the filing of the claims are expected to be more than offset by the credit they will receive.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

I. RULE NUMBER

Rule Number and Name:	12 CSR 10-405.100 Homestead Preservation Credit - Procedures
Type of Rule Making:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Missouri Department of Revenue	\$1,185,184 (FY05/06/07)
County Officials	\$1,000,000 annually

III. WORKSHEET

The FY05 cost for Department of Revenue \$281,121 to design, develop and implement section 106 to Chapter 137, RSMo as per SB 730. This includes \$224,174 for equipment and expenses and \$56,947 in salaries and benefits. These costs include initial contract development of the program, printing and postage. Implementation will require one TPT IV, one TPT III, 4 TPT I/II's and 12 temporary employees to process the applications correct errors, respond correspondence and prepare reports. In FY 06 the cost will be \$453,648 and \$450,415 in FY07.

The total cost for the county assessors, clerks and collectors is estimated at \$1,000,000. Based on available data, we anticipate 200,000 applications the first year. The estimated cost for the county is \$5.00 per application.

IV. ASSUMPTIONS

The appropriations for the actual credit will be approved each year of the program. As real property tax rates continue to increase, as has been the trend, more individuals will be eligible for the credit.

**FISCAL NOTE
PRIVATE COST****I. RULE NUMBER**

Rule Number and Name:	12 CSR 10-405.100 Homestead Preservation Credit - Procedures
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities that would likely to be affected by the adoption of the proposed rule.	Classification by types of entities that would likely be affected.	Estimate in the aggregate as to cost of compliance with the rule.
200,000 individuals	Over 65 years of age and 100% disabled	\$3,324,000

III. WORKSHEET

The Department of Revenue estimates that first year applications will be 200,000. The estimated cost for the individual to complete the front portion and take the form to their assessor's office for the tax levy portion is assumed to be \$16.62. The total aggregate cost for all affected individuals is \$3,324,000.

IV. ASSUMPTIONS

Since this is a new program, the cost of \$16.62 (one hour) to complete a MO-1040A income tax form is being used. We estimate it should take ten minutes to complete the front portion of the credit application. The remainder of the hour would be travel to the assessor's office and waiting for the assessor to complete the application.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 405—Homestead Preservation Credit**

PROPOSED RULE

12 CSR 10-405.200 Homestead Preservation Credit—Qualifications and Amount of Credit

PURPOSE: Section 137.106, RSMo provides a credit on property taxes under certain circumstances. This rule describes the requirements to qualify for this credit and the amount of the credit.

(1) In general, individuals who are at least sixty-five (65) years old on January 1 of the year of application and disabled individuals may receive a credit on their property taxes for their homesteads if those taxes increase more than two and one-half percent (2.5%) in an even numbered year or five percent (5%) in an odd numbered year and the individual's federal adjusted income does not exceed the statutory limit. The amount of the credit is determined by the amount the General Assembly appropriates to fund the credit.

(2) Definition of Terms.

(A) Disabled individual—an individual who is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than twelve (12) months.

(B) Homestead—the dwelling in Missouri owned and occupied by a taxpayer and up to five (5) acres of land surrounding it as is reasonably necessary for use of the dwelling as a home. The dwelling may be a mobile home.

(C) Homestead Preservation Credit—the credit provided pursuant to section 137.106, RSMo.

(D) Maximum upper limit—for applications filed in calendar year 2005, seventy thousand dollars (\$70,000). For later calendar years, the maximum limit will be increased by a percentage equal to the percentage increase since 2005 in the general price level, as defined pursuant to Article X, Section 17 of the *Missouri Constitution*.

(E) Property tax credit—the credit provided pursuant to sections 135.010–135.035, RSMo.

(3) Application of Rule.

(A) To qualify for the Homestead Preservation Credit, a taxpayer must fit one (1) of the following descriptions:

1. The taxpayer is at least sixty-five (65) years old on January 1 of the year of application or one hundred percent (100%) disabled and owns the homestead in the taxpayer's name only;

2. The taxpayer is at least sixty-five (65) years old on January 1 of the year of application and owns the homestead jointly with a spouse and the spouse is at least sixty (60) years old on January 1 of the year of application; or

3. The taxpayer owns the homestead jointly with a spouse and either the taxpayer or the spouse is one hundred percent (100%) disabled.

(B) To qualify for the Homestead Preservation Credit, the taxpayer's federal adjusted gross income for the tax year preceding the year of application must be equal to or less than the maximum upper limit. If the homestead is owned jointly with a spouse, the joint federal adjusted gross income of the taxpayer and spouse must be equal to or less than the maximum upper limit.

(C) To qualify for the Homestead Preservation Credit, the taxpayer's property tax liability for the homestead, not including any increase due to improvements to the homestead, must increase from the year preceding the application year to the application year by more than two and one-half percent (2.5%) for applications filed in even numbered years or by more than five percent (5%) in odd numbered years.

(D) To qualify for the Homestead Preservation Credit, the taxpayer must have owned and paid property tax in full, including any interest and penalty, on the homestead for the two (2) calendar years prior to application, and must continue to own it during the year of application and the following year. The taxpayer must pay the property tax in full on the homestead for the year of application by December 31.

(E) The taxpayer does not qualify for the Homestead Preservation Credit if the taxpayer owns the homestead jointly with anyone other than a spouse or the homestead is owned by a trust for the benefit of the taxpayer. A title that provides that the homestead transfers to another on death does not disqualify a taxpayer.

(F) The taxpayer does not qualify for the Homestead Preservation Credit if the assessed value of the homestead increased by more than five percent (5%) due to improvements made in the calendar year prior to application.

(G) A taxpayer who properly claims a property tax credit for the tax year preceding the year in which the application for the Homestead Preservation Credit is filed is disqualified from receiving the Homestead Preservation Credit.

(H) The amount of the credit is the amount by which the increase in the taxpayer's liability from the year preceding the application to the application year, exclusive of any increase due to improvements to the homestead, exceeds a single, statewide percentage increase calculated to use all but one-quarter of one percent (1/4 of 1%) of the amount appropriated by the General Assembly to fund the credit.

(I) The credit is calculated annually based on the increase in liability between the application year and the prior year and does not carry forward to future years.

(4) Examples:

(A) Taxpayer is 65 years old and his wife is 60 years old. The taxpayers are eligible for the Homestead Preservation Credit if they meet the other eligibility criteria.

(B) Taxpayer is 65 years old, but his wife is 55 years old and totally disabled. The taxpayers are eligible for the Homestead Preservation Credit if they meet the other eligibility criteria.

(C) Taxpayer is single and 60 years old. He is totally disabled. Taxpayer is eligible for the Homestead Preservation Credit if he meets the other eligibility criteria.

(D) Taxpayer owns his home jointly with his wife. Their federal adjusted gross income is \$69,000. The taxpayers are eligible for the Homestead Preservation Credit if they meet the other eligibility criteria.

(E) Taxpayer owns his home as an individual. His federal adjusted gross income is \$40,000. His wife's federal adjusted gross income is \$35,000. Taxpayer is not eligible for the Homestead Preservation Credit because the joint federal adjusted gross income exceeds the maximum upper limit of \$70,000.

(F) Taxpayers purchased their home after January 1 two (2) years before the application year. They are not eligible for the Homestead Preservation Credit.

(G) Taxpayers have owned their home for ten years, but they no longer live there. They are not eligible for the Homestead Preservation Credit.

(H) Taxpayers live in a home that is titled in a trust for their benefit. They are not eligible for the Homestead Preservation Credit.

(I) Taxpayer owns his home jointly with his grown daughter. Taxpayer is not eligible for the Homestead Preservation Credit.

(J) Taxpayer owns a life estate in her home, and her son has a right of survivorship. Taxpayer is eligible for the Homestead Preservation Credit if she meets the other eligibility criteria.

(K) Taxpayers own two homes and spend equal time living in each. The taxpayers can claim the Homestead Preservation Credit for only one home which they have designated as their "homestead."

(L) Taxpayers rent their house. They are not eligible for the Homestead Preservation Credit.

(M) Taxpayer's home is located on a ten-acre lot. Taxpayer can only claim the Homestead Preservation Credit for his house and up to five acres around the house that are used for residential purposes.

(N) Taxpayer has owned and occupied a mobile home for ten years. Taxpayer is eligible for the Homestead Preservation Credit if taxpayer meets the other eligibility criteria.

(O) Taxpayers have paid taxes for the past ten years on their home, but last year they paid the taxes late. They paid all penalties and interest due on the late payment. They are eligible for the Homestead Preservation Credit if they meet the other eligibility criteria.

(P) Taxpayers' tax levy increased four percent in a reassessment year. They are not eligible for a Homestead Preservation Credit because the difference in the property tax levy in a reassessment year must exceed five percent.

(Q) Taxpayers' property taxes increased four percent in a non-reassessment year. Taxpayers are eligible for a Homestead Preservation Credit if they meet the other eligibility criteria because the difference in the property tax levy in a non-reassessment year must exceed two and one-half percent.

(R) Taxpayers' home is valued at \$60,000. In the past year they made improvements totaling \$8,000. Taxpayers are not eligible for the Homestead Preservation Credit because the value of the improvements exceeds five percent of the value of the home.

(S) Taxpayers have applied and qualify for the property tax credit pursuant to sections 135.010 to 135.035, RSMo. They are not eligible for the Homestead Preservation Credit based on the same property tax assessment.

(T) Taxpayer lives in the homestead and his wife lives in a nursing home. They cannot apply for both the Homestead Preservation Credit on the jointly owned home and the property tax credit under sections 135.010 to 135.035, RSMo, on the rental amount of the nursing home.

(U) Taxpayers are eligible for a \$100 Homestead Preservation Credit, but the General Assembly did not appropriate funding for the Homestead Preservation Credit. Taxpayers do not receive a Homestead Preservation Credit for the credit year.

(V) Taxpayer is eligible for a \$100 Homestead Preservation Credit, but the General Assembly only appropriates fifty percent of the money required to fund the credit. Taxpayer will receive a reduced Homestead Preservation Credit for the credit year based on the amount appropriated.

AUTHORITY: section 137.106, RSMo. Supp. 2004. Emergency rule filed March 10, 2005, effective March 20, 2005, expires Sept. 16, 2005. Original rule filed March 10, 2005.

PUBLIC COST: The proposed rule is estimated to cost the state two hundred eighty-one thousand one hundred twenty-one dollars (\$281,121) in FY05, four hundred fifty-three thousand six hundred forty-eight dollars (\$453,648) in FY06, and four hundred fifty thousand four hundred fifteen dollars (\$450,415) in FY07. It is estimated that the cost for county officials is one (1) million dollars. The cost for the actual credits cannot be determined at this time. The increase in tax rates statewide and the number of applicants will determine the appropriation amount.

PRIVATE COST: The proposed rule is estimated to cost private entities \$3,324,000 in the aggregate with that cost recurring annually over the life of the rule. These return preparation costs directly related to the filing of the claims are expected to be more than offset by the credit they will receive.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Department of Revenue, Office of Legislation and Regulations, PO Box 629, Jefferson City, MO 65105. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST**

I. RULE NUMBER

Rules Number and Name:	12 CSR 10-405.200 Homestead Preservation Credit – Qualifications and Amount of Credit
Type of Rule Making:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance in the Aggregate
Missouri Department of Revenue	\$1,185,184 (FY05/06/07)
County Officials	\$1,000,000 annually

III. WORKSHEET

The FY05 cost for Department of Revenue \$281,121 to design, develop and implement section 106 to Chapter 137 RSMo as per SB 730. This includes \$224,174 for equipment and expenses and \$56,947 in salaries and benefits. These costs include initial contract development of the program, printing and postage. Implementation will require one TPT IV, one TPT III, 4 TPT I/II's and 12 temporary employees to process the applications correct errors, respond correspondence and prepare reports. In FY 06 the cost will be \$453,648 and \$450,415 in FY07.

The total cost for the county assessors, clerks and collectors is estimated at \$1,000,000. Based on available data, we anticipate 200,000 applications the first year. The estimated cost for the county is \$5.00 per application.

IV. ASSUMPTIONS

The appropriations for the actual credit will be approved each year of the program. As real property tax rates continue to increase, as has been the trend, more individuals will be eligible for the credit.

**Fiscal Note
PRIVATE COST****I. RULE NUMBER**

Rule Number and Name:	12 CSR 10-405.200 Homestead Preservation Credit – Qualifications and Amount of Credit
Type of Rulemaking:	Proposed Rule

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities that would likely to be affected by the adoption of the proposed rule.	Classification by types of entities that would likely be affected.	Estimate in the aggregate as to cost of compliance with the rule.
200,000 individuals	Over 65 years of age and 100% disabled	\$3,324,000

III. WORKSHEET

The Department of Revenue estimates that first year applications will be 200,000. The estimated cost for the individual to complete the front portion and take the form to their assessor's office for the tax levy portion is assumed to be \$16.62. The total aggregate cost for all affected individuals is \$3,324,000.

IV. ASSUMPTIONS

Since this is a new program, the cost of \$16.62 (one hour) to complete a MO-1040A income tax form is being used. We estimate it should take ten minutes to complete the front portion of the credit application. The remainder of the hour would be travel to the assessor's office and waiting for the assessor to complete the application.

**Title 13—DEPARTMENT OF SOCIAL SERVICES
Division 40—Family Support Division
Chapter 110—Fees**

PROPOSED RESCISSION

13 CSR 40-110.020 Federal Income Tax Refund Offset Fee. This rule defined how the Family Support Division would collect a fee from custodians for whom the division submitted past-due child and spousal support debts for collection through the federal income tax refund offset program in a IV-D, nonpublic assistance case.

PURPOSE: This rule is being rescinded so a fee for a tax intercept will not be collected from the custodian.

AUTHORITY: section 454.400.2(5), RSMo 2000. Original rule filed Sept. 10, 2004, effective March 30, 2005. Emergency rescission filed March 17, 2005, effective March 30, 2005, expires Sept. 25, 2005. Rescinded: Filed March 17, 2005.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Family Support Division, Denise Cross, Director, 615 Howerton Court, PO Box 2320, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits**

PROPOSED AMENDMENT

16 CSR 50-2.110 Rehires. The board is amending section (1).

PURPOSE: This amendment clarifies the suspension of benefits rules.

(1) Suspension of Benefits. If a participant returns to employment after a separation from service, benefit payments to the individual will be suspended, pending the termination of employment and completion of a new retirement application. *[All elections made in the original retirement application will be revoked upon completion of an enrollment form indicating a return to county employment. While employed, the individual will accrue creditable service, which, upon termination of employment and submission of a new retirement application, will be used to recalculate the benefit in accordance with the provisions of this chapter.]* After any such suspension of benefits and subsequent termination of employment, the participant will resume benefits under the payment option originally selected with respect to those benefits. If the individual has started a buyback of prior service during the first benefit payment period, the total paid toward the buyback will be subtracted from the new buyback figure. Benefits with respect to the prior service period less any remaining buyback will recommence upon termination of employment. The buyback will extend for a maximum of forty-eight (48) months less the total number of months during which the individual had already made a buyback. While subsequently employed after a separation

from service, the individual will accrue creditable service, which, upon termination of employment and submission of a new retirement application in accordance with the plan rules, will be used to calculate a benefit with respect to that period of service in accordance with the provisions of this chapter. For such subsequent period of service, benefits will also be calculated using the average final compensation with respect to that period of service. The benefits payable with respect to any employment period after a rehire shall be added to the benefits payable in accordance with a previous service period, provided that, in no event shall the participant's total creditable service when added together for all service periods exceed twenty-five (25) years for purposes of 16 CSR 50-2.090, and benefits shall be determined on the basis that a participant forever ceases accruing creditable service for this purpose in the service period in which such participant first attains twenty-five (25) years of creditable service. The new retirement application with respect to employment after a rehire shall specify the form of benefit and beneficiary with respect to any benefits payable in connection with such period of service, and the form and beneficiary may, but are not required to, differ from those elected with respect to benefits relating to a prior service period. Notwithstanding anything in the plan to the contrary, if a participant was receiving benefits in the form of the level income option and has such benefit payments suspended upon returning to employment before attaining age sixty-two (62) in accordance with this section, the remaining payments under the form shall resume at termination of employment in the monthly amount determined in accordance with 16 CSR 50-2.035(1)(E) or (F) as though the participant were the age he or she had attained upon his/her return to employment.

AUTHORITY: section 50.1032, RSMo [Supp. 1999] 2000. Original rule filed Sept. 29, 2000, effective March 30, 2001. Amended: Filed Feb. 24, 2005.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the County Employees' Retirement Fund, PO Box 2271, Jefferson City, MO 65102. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 19—DEPARTMENT OF HEALTH
AND SENIOR SERVICES
Division 20—Division of Environmental Health and
Communicable Disease Prevention
Chapter 1—Food Protection**

PROPOSED AMENDMENT

19 CSR 20-1.025 Sanitation of Food Establishments. The department proposes to amend subsections (1)(A) and (1)(B).

PURPOSE: This amendment changes the definition of what is not a food establishment by setting parameters that allow an individual to offer non-potentially hazardous foods to a consumer and changes the hot holding temperature for potentially hazardous foods from 140°F to 135°F.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

(1) General.

(A) The provisions of the *U.S. Department of Health and Human Services Public Health Service Food and Drug Administration 1999 Food Code*, U.S. Department of Commerce Technology Administration National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, shall apply and are incorporated by reference subject to the following additions, modifications, substitutions or deletions.

(B) Exceptions to the incorporation by reference are as follows:

1. Chapter 1-103.10 Statement. Delete: "This Code establishes definitions; sets standards for management and personnel, food operations, and equipment and facilities, and provides for food establishment plan review, permit issuance, inspection, employee restriction, and permit suspension." Substitute: "This Code establishes definitions, sets standards for management and personnel, food operations, equipment and facilities";

2. Chapter 1-201.10(B)(31)(a)(i) Delete: "Such as a restaurant; satellite or catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; vending location; conveyance used to transport people; institution; or food bank; and" Substitute: "Such as a restaurant; central preparation facility; catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; vending (location) operation, if the operation provides potentially hazardous foods; conveyance used to transport people; institution; or food bank; and";

3. Chapter 1-201.10(B)(31)(b)(i) Delete: "An element of the operation such as a transportation vehicle or a central preparation facility that supplies a vending location or satellite feeding location unless the vending or feeding location is permitted by the regulatory authority; and" Substitute: "An element of the operation such as a transportation vehicle or a satellite catered feeding location, a vending location or satellite feeding location unless the vending or feeding location is permitted by the regulatory authority; and";

4. Chapter 1-201.10(B)(31)(c)(vi) Delete: "A kitchen in a private home, such as a small family day-care provider; or a bed-and-breakfast operation that prepares and offers food to guests if the home is owner occupied, the number of available guest bedrooms does not exceed 6, breakfast is the only meal offered, the number of guests served does not exceed 18, and the consumer is informed by statements contained in published advertisements, mailed brochures, and placards posted at the registration area that the food is prepared in a kitchen that is not regulated and inspected by the regulatory authority; or" Substitute: "A kitchen in a private home, such as a small family day-care provider; or a bed-and-breakfast operation that prepares and offers food to guests if the home is owner occupied, the number of available guest bedrooms does not exceed 4, breakfast is the only meal offered, the number of guests served does not exceed 12, and the consumer is informed by statements contained in published advertisements, mailed brochures, and placards posted at the registration area that the food is prepared in a kitchen that is not regulated and inspected by the regulatory authority; or";

5. Chapter 1-201.10(B)(31)(c)(viii) Add: "Where local codes allow, individual stands in which only foods meeting the following conditions are sold, sampled or served: (AA) Non-potentially hazardous processed foods, except low acid canned and acidified foods as specified in 21 CFR 113 and 114 respectively, including, but not limited to breads, cookies, fruit pies,

jams, jellies, preserves, fruit butters, honey, sorghum, cracked nuts, packaged spices and spice mixes, dry cookie, cake, bread, and soup mixes; (BB) The seller is the individual actually producing the food or an immediate family member residing in the producer's household with extensive knowledge about the food; (CC) The seller only sells, samples or serves the food directly to the end consumer; (DD) All processed packaged foods bear a label stating the name and address of the manufacturer/processor preparing the food, common name of the food, name of all the ingredients in the food and a statement that the product is prepared in a kitchen that is not subject to inspection by the Department of Health and Senior Services; and (EE) The consumer is informed by a clearly visible placard at the sales or service location that the food is prepared in a kitchen that is not subject to inspection by the Department of Health and Senior Services if the foods specified in Subparagraph 1-201.10(B)(31)(c)(viii)(AA) are sold, sampled or served in unpackaged individual portions. The Department of Health and Senior Services shall have the final authority in determining whether a food is non-potentially hazardous and may enjoin individuals who violate the provisions of this section from selling, sampling or serving these foods.";

[5.] 6. Delete Chapter 1-201.10(B)(51) in its entirety;

[6.] 7. Chapter 1-201.10(B)(52) Delete: "'Permit holder' means the entity that:

A. Is legally responsible for the operation of the food establishment such as the owner, the owner's agent, or other person; and

B. Possesses a valid permit to operate a food establishment." Substitute: "'Operator' means the entity that is legally responsible for the operation of the food establishment such as the owner, the owner's agent, or other person";

[7.] 8. Chapter 1-201.10(B)(63)(a) Delete the term "permit holder" and substitute "operator";

[8.] 9. Chapter 1-201.10(B)(63)(b) Delete the term "permit holder" and substitute "operator";

[9.] 10. Chapter 1-201.10(B)(93) Add: "'Vending operation' means a commercial operation that stores, prepares, packages, serves, vends or otherwise preserves food products for and in vending machines and may consist of one or more vending locations";

[10.] 11. Chapter 1-201.10(B)(93) Modify "Warewashing" to "(94)";

[11.] 12. Chapter 1-201.10(B)(94) Modify "Whole-muscle, intact beef" to "(95)";

[12.] 13. Chapter 2-101.11 Delete the term "permit holder." Substitute: "operator";

[13.] 14. Chapter 2-201.11 Delete the term "permit holder." Substitute "operator";

[14.] 15. Delete Chapter 2-301.13 in its entirety;

[15.] 16. Chapter 2-301.14 Add: "(I) Prior to use of gloves";

[16.] 17. Chapter 2-302.11(B) Delete: "Unless wearing intact gloves in good repair, a food employee may not wear fingernail polish or artificial fingernails when working with exposed food." Substitute: "While preparing food, employees shall not wear artificial nails or fingernail polish";

[17.] 18. Chapter 3-201.17 Add: "(C) Any political subdivision, elementary or secondary school or any charitable, religious, fraternal or other not-for-profit organization may prepare or serve wild game provided there is no charge for the wild game served as according to RSMo 252.244.";

19. Chapter 3-202.11(C) Delete: "60°C (140°F)"; Substitute: "57°C (135°F)";

20. Chapter 3-304.12(F) Delete: "60°C (140°F)"; Substitute: "57°C (135°F)";

[18.] 21. Chapter 3-401.11(D)(3) Delete: "The regulatory authority grants a variance from ¶ (A) or (B) of this Chapter as specified in § 8-103.10 based on a HACCP plan that." Substitute: "The regulatory authority grants a variance from ¶ (A) or (B) of this Chapter as based on a HACCP plan that.";

[19.] 22. Chapter 3-401.11(D)(3)(a) Delete: "Is submitted by the permit holder and approved as specified under § 8-301.11." Substitute: "The regulatory authority grants a variance from ¶ (A) or (B) of this chapter as based on a HACCP plan that is submitted by the operator and approved by the regulatory authority."

23. Chapter 3-401.13 Delete: "60°C (140°F)." Substitute: "57°C (135°F).";

24. Chapter 3-403.11(C) Delete: "60°C (140°F)." Substitute: "57°C (135°F).";

25. Chapter 3-501.14(A)(1) Delete: "60°C (140°F)." Substitute: "57°C (135°F).";

26. Chapter 3-501.16(A) Delete: "60°C (140°F)." Substitute: "57°C (135°F).";

[20.] 27. Chapter 3-501.16(C)(2) Delete: "Within 5 years of the regulatory authority's adoption of this code, the equipment is upgraded or replaced to maintain food at a temperature of 5°C (41°F) or less." Substitute: "Within 90 days of the adoption of this rule, all refrigeration equipment that is upgraded, replaced, or purchased must be able to maintain food temperatures of 41°F or below. If a refrigeration unit is found to be exceeding 45°F for 3 consecutive inspections, it shall be brought into compliance with 41°F or be replaced with a unit that is capable of maintaining product temperatures of 41°F or below";

[21.] 28. Chapter 3-502.11 Variance Requirement. Delete: "A food establishment shall obtain a variance from the regulatory authority as specified in § 8-103.10 and under § 8-103.11 before smoking food as a method of food preservation rather than as a method of flavor enhancement; curing food; brewing alcoholic beverages; using food additives or adding components such as vinegar as a method of food preservation rather than as a method of flavor enhancement or to render a food so that it is not potentially hazardous; packaging food using a reduced oxygen packaging method except as specified under § 3-502.12 where a barrier to *Clostridium botulinum* in addition to refrigeration exists; custom processing animals that are for personal use as food and not for sale or service in a food establishment; or preparing food by another method that is determined by the regulatory authority to require a variance." Substitute: "A food establishment shall obtain a variance from the regulatory authority before smoking food as a method of food preservation rather than as a method of flavor enhancement; curing food; brewing alcoholic beverages; using food additives or adding components such as vinegar as a method of food preservation rather than as a method of flavor enhancement or to render a food so that it is not potentially hazardous; packaging food using a reduced oxygen packaging method except as specified under § 3-502.12 where a barrier to *Clostridium botulinum* in addition to refrigeration exists; custom processing animals that are for personal use as food and not for sale or service in a food establishment; or preparing food by another method that is determined by the regulatory authority to require a variance.";

[22.] 29. Delete inserted page titled: "Current Status of Consumer Advisory Language" in its entirety;

[23.] 30. Chapter 3-603.11 Delete: "Except as specified in ¶ 3-401.11(C) and Subparagraph 3-401.11(D)(3) and under ¶ 3-801.11(D), if animal food such as beef, eggs, fish, lamb, milk, pork, poultry, or shellfish that is raw, undercooked, or not otherwise processed to eliminate pathogens is offered in a ready-to-eat form as a deli, menu, vended, or other item; or as a raw ingredient in another ready-to-eat food, the permit holder shall inform consumers by brochures, deli case or menu advisories, label statements, table tents, placards, or other effective written means of the significantly increased risk associated with certain especially vulnerable consumers eating such foods in raw or undercooked form." Substitute: "If an animal food such as beef, eggs, fish, lamb, milk, pork, poultry, or shellfish that is raw, undercooked or not otherwise processed to eliminate pathogens is offered in a ready-to-eat form as a deli, menu, vended, or other item; or as a raw ingredient in another ready-to-eat food, the operator shall inform or disclose to consumers that

the product is raw, undercooked, or not otherwise processed to eliminate pathogens.";

31. Chapter 4-204.111(B)(2) Delete: "60°C (140°F)." Substitute: "57°C (135°F).";

[24.] 32. Delete Chapter 4-204.19 in its entirety;

[25.] 33. Chapter 4-204.110(B) Delete: "Molluscan shellfish life-support system display tanks that are used to store and display shellfish that are offered for human consumption shall be operated and maintained in accordance with a variance granted by the regulatory authority as specified in §8-103.10 and a HACCP plan that:" Substitute: "Molluscan shellfish life-support system display tanks that are used to store and display shellfish that are offered for human consumption shall be operated and maintained in accordance with a variance granted by the regulatory authority and a HACCP plan that:";

[26.] 34. Chapter 4-204.110(B)(1) Delete: "Is submitted by the permit holder and approved as specified under § 8-103.11; and" Substitute: "Is submitted by the operator and approved by the regulatory authority; and";

[27.] 35. Delete Chapter 4-301.12(C)(5) in its entirety;

[28.] 36. Delete "Chapter 4-301.12(C)(6)" Substitute: "Chapter 4-301.12(C)(5).";

[29.] 37. Delete Chapter 4-301.12(D) and (E) in their entirety;

38. Chapter 4-602.11 (D)(7) Delete: "60°C (140°F)." Substitute: "57°C (135°F).";

[30.] 39. Delete Chapter 4-603.16(C) in its entirety;

[31.] 40. Chapter 4-603.16(D)(2) Delete: "Wasted" Substitute: "Drained";

[32.] 41. Chapter 5-103.12 Delete: "Water under pressure shall be provided to all fixtures, equipment, and nonfood equipment that are required to use water except that water supplied as specified under ¶¶ 5-104.12(A) and (B) to a temporary food establishment or in response to a temporary interruption of a water supply need not be under pressure." Substitute: "Water under pressure shall be provided to all fixtures, equipment, and nonfood equipment that are required to use water except that water supplied as specified under ¶¶ 5-104.12(A) and (B) to a temporary food establishment or in response to a temporary interruption of a water supply need not be under pressure if approved.";

[33.] 42. Chapter 5-203.11(C) Delete: "If approved, when food exposure is limited and handwashing lavatories are not conveniently available, such as in some mobile or temporary food establishments or at some vending machine locations, employees may use chemically treated towelettes for handwashing." Substitute: "If approved, when food exposure is limited to packaged food and handwashing lavatories are not conveniently available, such as in some mobile or temporary food establishments or at some vending machine locations, employees may use chemically treated towelettes and/or approved hand sanitizers for handwashing.";

[34.] 43. Delete Chapter 5-203.15 in its entirety;

[35.] 44. Delete Chapter 5-205.13 in its entirety;

[36.] 45. Chapter 6-202.13(B) Delete: "Insect control devices shall be installed so that:" Substitute: "All other insect control devices shall be installed so that:";

[37.] 46. Chapter 6-202.17 Delete: "If located outside, a machine used to vend food shall be provided with overhead protection except that machines vending canned beverages need not meet this requirement." Substitute: "If located outside, a machine used to vend food shall be provided with overhead protection except that machines designed for outdoor use need not meet this requirement.";

[38.] 47. Chapter 6-404.11 Delete the term "permit holder" and Substitute "operator";

[39.] 48. Delete Chapter 8 in its entirety;

[40.] 49. Delete Annexes 1-7 in their entirety; and

[41.] 50. Chapter 3-502.12(B) Delete: "A food establishment that packages food using a reduced oxygen packaging method and *Clostridium botulinum* is identified as a microbiological hazard in

the final packaged form shall have a HACCP plan that contains the information specified under ¶ 8-201.14(D) and that:” Substitute: “A food establishment that packages food using a reduced oxygen packaging method and *Clostridium botulinum* is identified as a microbiological hazard in the final packaged form shall have a HACCP plan submitted by the operator and approved by the regulatory authority and that:”.

AUTHORITY: sections 192.006, [RSMo Supp. 1998 and] 196.190, 196.195, 196.210, 196.220, 196.225, 196.230, 196.235, 196.240, 196.245, 196.250 and 196.265, RSMo [1994] 2000 and 192.020, RSMo Supp. 2004. Original rule filed April 26, 1999, effective Oct. 30, 1999. Amended: Filed March 1, 2005.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with Bryant McNally, Division Director, Missouri Department of Health and Senior Services; Division of Environmental Health and Communicable Disease Prevention; PO Box 570, Jefferson City, MO 65102-0570. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order of rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety (90)-day period during which an agency shall file its Order of Rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the Proposed Rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

Title 2—DEPARTMENT OF AGRICULTURE Division 30—Animal Health Chapter 10—Food Safety and Meat Inspection

ORDER OF RULEMAKING

By the authority vested in the director of agriculture under section 265.020, RSMo 2000, the director amends a rule as follows:

2 CSR 30-10.010 Inspection of Meat and Poultry is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2004 (29 MoReg 2257). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 2—DEPARTMENT OF AGRICULTURE Division 30—Animal Health Chapter 22—Requirements for the Ice Cream and Related Frozen Foods Law

ORDER OF RULEMAKING

By the authority vested in the director of agriculture under section 265.020, RSMo 2000, the director rescinds a rule as follows:

2 CSR 30-22.010 Identification Tag on All Ice Cream Mix Containers is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on December 15, 2004 (29 MoReg 2257). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 40—Land Reclamation Commission Chapter 10—Permit and Performance Requirements for Industrial Mineral Open Pit and In-Stream Sand and Gravel Operations

ORDER OF RULEMAKING

By the authority vested in the Land Reclamation Commission under sections 444.530, RSMo 2000 and 444.767, RSMo Supp. 2004, the commission amends a rule as follows:

10 CSR 40-10.020 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2004 (29 MoReg 1303-1304). Those sections with changes are reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on November 17, 2004 and the public comment period ended on November 24, 2004. Two (2) written comments were received addressing the proposed amendment. Because the two (2) comments were identical in nature, they are addressed as one (1).

COMMENT: Two (2) commenters expressed their opinion that the language of the proposed rule was inconsistent with the statutory language with respect to both mapping requirements for adjacent and contiguous landowners and public notification requirements to adjacent or contiguous landowners. Specifically, the commenters stated the proposed amendment required maps to include the names of all record landowners of real property located contiguous or adjacent to "the property line of the property where" the proposed mine plan area "is located" and that public notice be individually provided to these same landowners. Both commenters felt this language (noted in quoted text) exceeded the statutory language and would prove overly burdensome on applicants for mining permits.

RESPONSE AND EXPLANATION OF CHANGE: The Land Reclamation Commission has reviewed these comments both in writing and at the public hearing and has decided to revise the rule to reflect the exact language of the statute. Specifically, the commission decided to delete the quoted language above from the proposed amendment. The language below reflects the commission's decision on these two (2) subparagraphs of the rule.

10 CSR40-10.020 Permit Application Requirements

(2) As required by section 444.772, RSMo, an applicant shall provide a complete application package submitted which includes the following:

(E) Two (2) different maps sufficient for the following purposes:

1. One (1) map sufficient to locate and distinguish the mining site from other mine sites in the general area of the county;

2. One (1) map of sufficient scale and detail to illustrate the following:

A. The names of any persons or businesses having any surface or subsurface interest in the lands to be mined, including owners or leaseholders of the land and utilities as well as the names of all record landowners of real property located contiguous or adjacent to the proposed mine plan area:

(I) Contiguous shall mean in actual contact, touching along a boundary or at a point;

(II) Adjacent shall mean immediately opposite from, as in across a road right-of-way, or across a river or stream;

(III) Neither definition shall include the names of any record landowners of contiguous real property or real property located in an adjacent state, but only land located in the state of Missouri;

B. The boundaries and the acreage of each site, if proposing multiple sites, of all areas proposed to be affected over the permit term;

C. The approximate location of public roads located in or within one hundred feet (100') of the proposed permit area;

D. The date that the map was prepared, a north arrow and section, township and range lines;

E. The name of the creek or stream being mined, if an in-stream operation is proposed;

F. This map must be prepared on an original or clearly copied United States Geological Survey (USGS) seven and one-half (7 1/2) minute topographical map, county assessor map, Agricultural Stabilization Conservation Service (ASCS) aerial photos or up-to-date county ownership plats or on a map of equal or better quality; and

G. The locations of terraces, waterways, diversions and post-mining land use designations shall be identified on the permit map;

3. Both maps and all copies submitted must be clearly legible and must contain the company name, mine or site name, date of last map edit, scale indication (such as a scale bar or numerical ratio) and a symbol definition key for any special symbols used; and

4. If the applicant requests a permit for a portion of the area described in a long-term operation and reclamation plan, the applicant shall indicate the boundary of the proposed permit area and the boundary of the area proposed to be disturbed over the life of the mine on the map required by paragraph (2)(E)2. of this rule;

(I) At the time the application is deemed complete by the director, the applicant shall also mail letters containing a notice of intent to operate a surface mine.

1. The applicant shall send the letters containing a notice of intent to operate a surface mine by certified mail to:

A. The governing body of the counties or cities in which the proposed area is located; and

B. The last known addresses of all record landowners of contiguous real property or real property located adjacent to the proposed mine plan area.

2. The content of the notice sent under this subsection shall be the same as the public notice requirements under subsection (2)(H) of this rule; and

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 10—Permit and Performance Requirements for
Industrial Mineral Open Pit and In-Stream Sand and
Gravel Operations**

ORDER OF RULEMAKING

By the authority vested in the Land Reclamation Commission under sections 444.530, RSMo 2000 and 444.767, RSMo Supp. 2004, the commission amends a rule as follows:

10 CSR 40-10.030 Bonding is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2004 (29 MoReg 1304-1305). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 10—Permit and Performance Requirements for
Industrial Mineral Open Pit and In-Stream Sand and
Gravel Operations**

ORDER OF RULEMAKING

By the authority vested in the Land Reclamation Commission under sections 444.530, RSMo 2000 and 444.767, RSMo Supp. 2004, the commission amends a rule as follows:

10 CSR 40-10.040 Permit Review Process is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2004 (29 MoReg 1305-1306). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
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Gravel Operations**

ORDER OF RULEMAKING

By the authority vested in the Land Reclamation Commission under sections 444.530, RSMo 2000 and 444.767, RSMo Supp. 2004, the commission amends a rule as follows:

10 CSR 40-10.050 Performance Requirements is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2004 (29 MoReg 1306-1307). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
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ORDER OF RULEMAKING

By the authority vested in the Land Reclamation Commission under sections 444.530, RSMo 2000 and 444.767, RSMo Supp. 2004, the commission amends a rule as follows:

10 CSR 40-10.060 Inspection Authority and Right of Entry is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2004 (29 MoReg 1307-1308). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
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ORDER OF RULEMAKING

By the authority vested in the Land Reclamation Commission under sections 444.530, RSMo 2000 and 444.767, RSMo Supp. 2004, the commission amends a rule as follows:

10 CSR 40-10.070 Enforcement is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2004 (29 MoReg 1308-1311). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 10—Permit and Performance Requirements for
Industrial Mineral Open Pit and In-Stream Sand and
Gravel Operations**

ORDER OF RULEMAKING

By the authority vested in the Land Reclamation Commission under sections 444.530, RSMo 2000 and 444.767, RSMo Supp. 2004, the commission amends a rule as follows:

10 CSR 40-10.080 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2004 (29 MoReg 1311-1313). The section with changes is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing on this proposed amendment was held on November 17, 2004 and the public comment period ended on November 24, 2004. One (1) written comment was received addressing the proposed amendment.

COMMENT: One (1) commenter suggested that language be added with respect to a petitioner's right to request a hearing after being notified that a public meeting has been declined by a permit appli-

cant. The comment suggested that a fifteen (15)-day time frame be added to the proposed rule for a petitioner to request such a hearing. Within the same comment, it was noted that a typographical error exists in the rule as proposed and suggested correction of the error. RESPONSE AND EXPLANATION OF CHANGE: The Land Reclamation Commission has reviewed this comment both in writing and at the public hearing and has decided to revise the rule to incorporate the fifteen (15)-day time frame and to correct the typographical error. The language below reflects the commission's decision on this subsection of the rule.

10 CSR 40-10.080 Public Meetings, Hearings and Informal Conferences

(1) Public Meetings.

(A) If the recommendation of the director is for issuance of the permit, and a petition has been filed by an aforementioned person or persons prior to the termination of the public notice time frame, the director shall, within thirty (30) days after the time frame for such request has passed, order that a public meeting be held provided that the applicant agrees. If the applicant does not agree to the public meeting then the petition may be referred to the commission for a formal public hearing as directed by subsection (3)(B) of this rule if the petitioner makes a written request within fifteen (15) days of notification of the denial of the public meeting by the applicant.

**Title 10—DEPARTMENT OF NATURAL RESOURCES
Division 40—Land Reclamation Commission
Chapter 10—Permit and Performance Requirements for
Industrial Mineral Open Pit and In-Stream Sand and
Gravel Operations**

ORDER OF RULEMAKING

By the authority vested in the Land Reclamation Commission under sections 444.530, RSMo 2000 and 444.767, RSMo Supp. 2004, the commission amends a rule as follows:

10 CSR 40-10.100 Definitions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on September 1, 2004 (29 MoReg 1313-1314). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 23—Motor Vehicle**

ORDER OF RULEMAKING

By the authority vested in the director of revenue under section 301.140 and 301.442, RSMo 2000, the director withdraws a proposed amendment as follows:

12 CSR 10-23.290 Use of License Plates After Name Change is withdrawn.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on December 15, 2004 (29 MoReg 2259-2260). This proposed amendment is withdrawn.

SUMMARY OF COMMENTS: The department is withdrawing this proposed amendment in order to conduct further review.

**Title 12—DEPARTMENT OF REVENUE
Division 30—State Tax Commission
Chapter 3—Local Assessment of Property and Appeals
From Local Boards of Equalization**

ORDER OF RULEMAKING

By the authority vested in the State Tax Commission under section 138.430, RSMo 2000, the commission amends a rule as follows:

**12 CSR 30-3.010 Appeals From the Local Boards of
Equalization is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 15, 2004 (29 MoReg 1816). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 30—State Tax Commission
Chapter 3—Local Assessment of Property and Appeals
From Local Boards of Equalization**

ORDER OF RULEMAKING

By the authority vested in the State Tax Commission under section 138.430, RSMo 2000, the commission amends a rule as follows:

12 CSR 30-3.020 Intervention is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 15, 2004 (29 MoReg 1816–1817). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 12—DEPARTMENT OF REVENUE
Division 30—State Tax Commission
Chapter 3—Local Assessment of Property and Appeals
From Local Boards of Equalization**

ORDER OF RULEMAKING

By the authority vested in the State Tax Commission under section 138.430, RSMo 2000, the commission amends a rule as follows:

**12 CSR 30-3.050 Procedure: Motions and Stipulations is
amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on November 15, 2004 (29 MoReg 1817). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

This section may contain notice of hearings, correction notices, public information notices, rule action notices, statements of actual costs and other items required to be published in the *Missouri Register* by law.

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and
Transportation Commission
Chapter 25—Motor Carrier Operations**

IN ADDITION

7 CSR 10-25.010 Skill Performance Evaluation Certificates for Commercial Drivers

PUBLIC NOTICE

Public Notice and Request for Comments on Applications for Issuance of Skill Performance Evaluation Certificates to Intrastate Commercial Drivers with Diabetes Mellitus or Impaired Vision

SUMMARY: This notice publishes MoDOT's receipt of applications for the issuance of Skill Performance Evaluation (SPE) Certificates, from individuals who do not meet the physical qualification requirements in the Federal Motor Carrier Safety Regulations for drivers of commercial motor vehicles in Missouri intrastate commerce, because of impaired vision, or an established medical history or clinical diagnosis of diabetes mellitus currently requiring insulin for control. If granted, the SPE Certificates will authorize these individuals to qualify as drivers of commercial motor vehicles (CMVs), in intrastate commerce only, without meeting the vision standard prescribed in 49 CFR 391.41(b)(10), if applicable, or the diabetes standard prescribed in 49 CFR 391.41(b)(3).

DATES: Comments must be received at the address stated below, on or before April 30, 2005.

ADDRESSES: You may submit comments concerning an applicant, identified by the Application Number stated below, by any of the following methods:

- *E-mail:* Kathy.Hatfield@modot.mo.gov
- *Mail:* PO Box 893, Jefferson City, MO 65102-0893
- *Hand Delivery:* 1320 Creek Trail Drive, Jefferson City, MO 65109
- *Instructions:* All comments submitted must include the agency name and Application Number for this public notice. For detailed instructions on submitting comments, see the Public Participation heading of the Supplementary Information section of this notice. All comments received will be open and available for public inspection and MoDOT may publish those comments by any available means.

**COMMENTS RECEIVED
BECOME MoDOT PUBLIC RECORD**

- By submitting any comments to MoDOT, the person authorizes MoDOT to publish those comments by any available means.
- *Docket:* For access to the department's file, to read background documents or comments received, 1320 Creek Trail Drive, Jefferson City, MO 65109, between 7:30 a.m. and 4 p.m., Monday through Friday, except state holidays.

FOR FURTHER INFORMATION CONTACT: Ms. Kathy Hatfield, Motor Carrier Specialist, (573) 522-9001, MoDOT Motor Carrier Services Division, PO Box 893, Jefferson City, MO 65102-

0893. Office hours are from 7:30 a.m. to 4:00 p.m., CT, Monday through Friday, except state holidays.

SUPPLEMENTARY INFORMATION:

Public Participation

If you want us to notify you that we received your comments, please include a self-addressed, stamped envelope or postcard.

Background

The individuals listed in this notice have recently filed applications requesting MoDOT to issue SPE Certificates to exempt them from the physical qualification requirements relating to vision in 49 CFR 391.41(b)(10), or to diabetes in 49 CFR 391.41(b)(3), which otherwise apply to drivers of CMVs in Missouri intrastate commerce.

Under section 622.555, *Missouri Revised Statutes* (RSMo) Supp. 2004, MoDOT may issue a Skill Performance Evaluation Certificate, for not more than a two (2)-year period, if it finds that the applicant has the ability, while operating CMVs, to maintain a level of safety that is equivalent to or greater than the driver qualification standards of 49 CFR 391.41. Upon application, MoDOT may renew an exemption upon expiration.

Accordingly, the agency will evaluate the qualifications of each applicant to determine whether issuing a SPE Certificate will comply with the statutory requirements and will achieve the required level of safety. If granted, the SPE Certificate is only applicable to intrastate transportation wholly within Missouri.

Qualifications of Applicants

Application # MP040903065

Applicant's Name & Age: Shawn L. Collins, 28

Relevant Physical Condition: Mr. Collin's best corrected visual acuity in his right eye is 20/70 Snellen and he has amblyopia in his right eye (lazy right eye). In his left eye, uncorrected visual acuity is 20/20 Snellen.

Relevant Driving Experience: Employed by Howell Oregon Electric Co-op as a groundsman and equipment operator from December 2000 to present and has driven a bucket truck 10 hours per day from January 2001 to August 2004. Employed as a laborer for a construction company from August 1997 to November 2000. Drives personal vehicle(s) daily.

Doctor's Opinion & Date: Following an examination in September 2004, his optometrist certified, "In my medical opinion, Mr. Collin's visual deficiency is stable and has sufficient vision to perform the driving tasks required to operate a commercial motor vehicle, and that his condition will not adversely affect his ability to operate a commercial motor vehicle safely."

Traffic Accidents and Violations: One accident on January 4, 2002, not in a commercial motor vehicle. No violations within the past 3 years.

Application # MP041227088

Applicant's Name & Age: Bassam S. Alnajjar, 33

Relevant Physical Condition: Mr. Alnajjar's best corrected visual acuity in his right eye is 20/80 Snellen and he has amblyopia in his right eye (lazy right eye). In his left eye, uncorrected visual acuity is 20/20 Snellen.

Relevant Driving Experience: Employed by Budget Rent a Car, Kansas City, MO as a courtesy bus driver from February 2000 to December 2004. Drives personal vehicle(s) daily.

Doctor's Opinion & Date: Following an examination in December 2004, his optometrist certified, "In my medical opinion, Mr.

Alnajar's visual deficiency is stable and has sufficient vision to perform the driving tasks required to operate a commercial motor vehicle, and that his condition will not adversely affect his ability to operate a commercial motor vehicle safely."

Traffic Accidents and Violations: One accident on February 2, 2004, not in a commercial motor vehicle. One speeding citation in December 2002, not in a commercial motor vehicle and no other violations within the past 3 years.

Application # MP041227088

Applicant's Name & Age: Rodman R. Brandt, 37

Relevant Physical Condition: Mr. Brandt's best corrected visual acuity in both eyes is 20/20 Snellen and corrected in both eyes is 20/15 Snellen.

Relevant Driving Experience: Employed by Economy Express Trucking, Inc., St. Joseph, MO since June, 1990. Drives personal vehicle(s) daily.

Doctor's Opinion & Date: Following an examination in September 2004, his endocrinologist certified, "In my medical opinion, Mr. Brandt's diabetes deficiency is stable and he is capable of performing the driving tasks required to operate a commercial motor vehicle, and that the applicant's condition will not adversely affect his ability to operate a commercial motor vehicle safely."

Traffic Accidents and Violations: There have been no accidents or violations within the past 3 years.

Request for Comments

The Missouri Department of Transportation, Motor Carrier Services Division, pursuant to section 622.555, RSMo, and rule 7 CSR 10-25.010, requests public comment from all interested persons on the applications for issuance of Skill Performance Evaluation Certificates described in this notice. We will consider all comments received before the close of business on the closing date indicated earlier in this notice.

Issued on: March 1, 2005

Jan Skouby, Motor Carrier Services Director, Missouri Department of Transportation.

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000 to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript.

NOTICE OF WINDING UP OF LIMITED LIABILITY COMPANY

NOTICE OF WINDING UP TO ALL CREDITORS AND CLAIMANTS AGAINST **Complete Flooring Showroom, LLC**, a Missouri limited liability company.

On December 23, 2004, Complete Flooring Showroom, LLC filed its notice of winding up with the Missouri Secretary of State.

Dissolution was effective on January 1, 2005.

Said Company requests that all persons and organizations with claims against it present them immediately by letter to the Company at:

Complete Flooring Showroom, LLC
c/o Caton Holding Company, Inc.
2001 West Geospace Drive
Independence, Missouri 64056

All claims must include: the name and address of the claimant; the amount claimed, the basis for the claim; and the date(s) on which the event(s) on which the claim is based occurred.

Because of the dissolution of the Company, any claims against it will be barred unless a proceeding to enforce the claim is commenced within three years after the publication date of the three notices authorized by statute.

Bryan K. Caton, Manager

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—27 (2002), 28 (2003), 29 (2004) and 30 (2005). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
1 CSR 10	OFFICE OF ADMINISTRATION State Officials' Salary Compensation Schedule				27 MoReg 189 27 MoReg 1724 28 MoReg 1861 29 MoReg 1610 30 MoReg 320
1 CSR 10-4.010	Commissioner of Administration		28 MoReg 1557	29 MoReg 2320	
1 CSR 20-1.010	Personnel Advisory Board and Division of Personnel		30 MoReg 148		
1 CSR 20-3.010	Personnel Advisory Board and Division of Personnel		30 MoReg 148		
1 CSR 20-3.020	Personnel Advisory Board and Division of Personnel		30 MoReg 149		
1 CSR 20-3.070	Personnel Advisory Board and Division of Personnel		29 MoReg 1513	30 MoReg 384	
1 CSR 20-5.025	Personnel Advisory Board and Division of Personnel		29 MoReg 1513	30 MoReg 384W	
	DEPARTMENT OF AGRICULTURE				
2 CSR 30-2.010	Animal Health	30 MoReg 139	30 MoReg 149		
2 CSR 30-10.010	Animal Health		29 MoReg 2257	This Issue	
2 CSR 30-22.010	Animal Health		29 MoReg 2257R	This IssueR	
2 CSR 70-40.015	Plant Industries		29 MoReg 1439	30 MoReg 301	
2 CSR 70-40.025	Plant Industries		29 MoReg 1439	30 MoReg 301	
2 CSR 100-7.010	Missouri Agricultural and Small Business Development Authority		30 MoReg 150		
2 CSR 100-10.010	Missouri Agricultural and Small Business Development Authority		30 MoReg 151		
	DEPARTMENT OF CONSERVATION				
3 CSR 10-6.410	Conservation Commission		30 MoReg 441		
3 CSR 10-6.505	Conservation Commission		29 MoReg 1793	30 MoReg 301	
3 CSR 10-6.511	Conservation Commission		N.A.	30 MoReg 301	
3 CSR 10-7.430	Conservation Commission		29 MoReg 1793	30 MoReg 304	
3 CSR 10-7.438	Conservation Commission		29 MoReg 1794	30 MoReg 304	
3 CSR 10-7.455	Conservation Commission		N.A.	30 MoReg 304	30 MoReg 321
3 CSR 10-9.110	Conservation Commission		29 MoReg 1794	30 MoReg 304	
3 CSR 10-11.180	Conservation Commission		29 MoReg 1795	30 MoReg 305	
3 CSR 10-11.182	Conservation Commission		29 MoReg 1797	30 MoReg 305	
3 CSR 10-11.183	Conservation Commission		29 MoReg 1799R	30 MoReg 305R	
3 CSR 10-12.110	Conservation Commission		29 MoReg 1799	30 MoReg 305	
3 CSR 10-12.115	Conservation Commission		29 MoReg 1800	30 MoReg 305	
3 CSR 10-12.125	Conservation Commission		29 MoReg 1800	30 MoReg 305	
3 CSR 10-12.140	Conservation Commission		29 MoReg 1801	30 MoReg 306	
3 CSR 10-12.145	Conservation Commission		29 MoReg 1803	30 MoReg 306	
3 CSR 10-20.805	Conservation Commission		29 MoReg 1803	30 MoReg 306	
	DEPARTMENT OF ECONOMIC DEVELOPMENT				
4 CSR 15-1.020	Acupuncturist Advisory Committee		30 MoReg 509		
4 CSR 15-1.030	Acupuncturist Advisory Committee		30 MoReg 509		
4 CSR 15-3.010	Acupuncturist Advisory Committee		30 MoReg 511		
4 CSR 30-5.060	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		30 MoReg 6		
4 CSR 30-12.010	Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Landscape Architects		29 MoReg 2212		
4 CSR 60-1.025	State Board of Barber Examiners		29 MoReg 1804	30 MoReg 563	
4 CSR 95-1.005	Committee for Professional Counselors		30 MoReg 8		
4 CSR 95-1.010	Committee for Professional Counselors		30 MoReg 10R		
4 CSR 95-1.020	Committee for Professional Counselors		30 MoReg 10R		
			30 MoReg 10		
4 CSR 95-1.030	Committee for Professional Counselors		30 MoReg 10R		
4 CSR 95-1.040	Committee for Professional Counselors		30 MoReg 11R		
4 CSR 95-1.050	Committee for Professional Counselors		30 MoReg 11		
4 CSR 95-1.060	Committee for Professional Counselors		30 MoReg 15		
4 CSR 95-2.010	Committee for Professional Counselors		30 MoReg 18R		
			30 MoReg 18		
4 CSR 95-2.020	Committee for Professional Counselors		30 MoReg 19R		
			30 MoReg 20		
4 CSR 95-2.021	Committee for Professional Counselors		30 MoReg 25		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 95-2.030	Committee for Professional Counselors		30 MoReg 27R 30 MoReg 27		
4 CSR 95-2.040	Committee for Professional Counselors		30 MoReg 29R		
4 CSR 95-2.050	Committee for Professional Counselors		30 MoReg 29R		
4 CSR 95-2.060	Committee for Professional Counselors		30 MoReg 29R		
4 CSR 95-2.065	Committee for Professional Counselors		30 MoReg 29		
4 CSR 95-2.070	Committee for Professional Counselors		30 MoReg 34R		
4 CSR 95-2.080	Committee for Professional Counselors		30 MoReg 34R		
4 CSR 95-3.010	Committee for Professional Counselors		30 MoReg 34R 30 MoReg 34		
4 CSR 95-3.015	Committee for Professional Counselors		30 MoReg 35		
4 CSR 95-3.020	Committee for Professional Counselors		30 MoReg 36R		
4 CSR 95-3.030	Committee for Professional Counselors		30 MoReg 37R		
4 CSR 95-3.040	Committee for Professional Counselors		30 MoReg 37R		
4 CSR 95-3.050	Committee for Professional Counselors		30 MoReg 37R		
4 CSR 95-3.060	Committee for Professional Counselors		30 MoReg 37R		
4 CSR 95-3.070	Committee for Professional Counselors		30 MoReg 38R		
4 CSR 95-3.080	Committee for Professional Counselors		30 MoReg 38R		
4 CSR 95-3.090	Committee for Professional Counselors		30 MoReg 38R		
4 CSR 95-3.100	Committee for Professional Counselors		30 MoReg 38R		
4 CSR 95-3.110	Committee for Professional Counselors		30 MoReg 39R		
4 CSR 95-3.120	Committee for Professional Counselors		30 MoReg 39R		
4 CSR 95-3.130	Committee for Professional Counselors		30 MoReg 39R		
4 CSR 95-3.140	Committee for Professional Counselors		30 MoReg 40R		
4 CSR 95-3.150	Committee for Professional Counselors		30 MoReg 40R		
4 CSR 95-3.160	Committee for Professional Counselors		30 MoReg 40R		
4 CSR 95-3.170	Committee for Professional Counselors		30 MoReg 40R		
4 CSR 95-3.180	Committee for Professional Counselors		30 MoReg 41R		
4 CSR 95-3.190	Committee for Professional Counselors		30 MoReg 41R		
4 CSR 95-3.200	Committee for Professional Counselors		30 MoReg 41R		
4 CSR 95-3.210	Committee for Professional Counselors		30 MoReg 41R		
4 CSR 95-3.220	Committee for Professional Counselors		30 MoReg 42R		
4 CSR 95-4.010	Committee for Professional Counselors		30 MoReg 42R		
4 CSR 100	Division of Credit Unions				29 MoReg 233I 30 MoReg 201
4 CSR 100-2.045	Division of Credit Unions		29 MoReg 2214	30 MoReg 563	
4 CSR 100-2.205	Division of Credit Unions		29 MoReg 2215	30 MoReg 563	
4 CSR 110-2.071	Missouri Dental Board		This Issue		
4 CSR 110-2.090	Missouri Dental Board		This IssueR This Issue		
4 CSR 110-2.170	Missouri Dental Board		29 MoReg 1514 This Issue	30 MoReg 455	
4 CSR 110-2.180	Missouri Dental Board		29 MoReg 1514R	30 MoReg 455R	
4 CSR 110-2.181	Missouri Dental Board		29 MoReg 1515R	30 MoReg 455R	
4 CSR 110-2.240	Missouri Dental Board		This Issue		
4 CSR 110-4.010	Missouri Dental Board		29 MoReg 1515	30 MoReg 455	
4 CSR 110-4.020	Missouri Dental Board		29 MoReg 1516	30 MoReg 457	
4 CSR 110-4.030	Missouri Dental Board		29 MoReg 1527	30 MoReg 460	
4 CSR 110-4.040	Missouri Dental Board		29 MoReg 1531	30 MoReg 462	
4 CSR 120-2.060	Missouri Dental Board		29 MoReg 1542	30 MoReg 563	
4 CSR 150-2.080	State Board of Registration for the Healing Arts		29 MoReg 2216		
4 CSR 150-2.153	State Board of Registration for the Healing Arts		This Issue		
4 CSR 150-3.060	State Board of Registration for the Healing Arts		This Issue		
4 CSR 150-6.010	State Board of Registration for the Healing Arts		This IssueR This Issue		
4 CSR 150-6.020	State Board of Registration for the Healing Arts		This Issue		
4 CSR 150-6.025	State Board of Registration for the Healing Arts		This Issue		
4 CSR 150-6.030	State Board of Registration for the Healing Arts		This Issue		
4 CSR 150-6.040	State Board of Registration for the Healing Arts		This Issue		
4 CSR 150-6.050	State Board of Registration for the Healing Arts		This Issue		
4 CSR 150-6.060	State Board of Registration for the Healing Arts		This Issue		
4 CSR 150-6.070	State Board of Registration for the Healing Arts		This Issue		
4 CSR 150-7.135	State Board of Registration for the Healing Arts		This Issue		
4 CSR 220-1.010	State Board of Pharmacy		30 MoReg 42		
4 CSR 220-2.010	State Board of Pharmacy		30 MoReg 42		
4 CSR 220-2.020	State Board of Pharmacy		30 MoReg 43		
4 CSR 220-2.030	State Board of Pharmacy		30 MoReg 46		
4 CSR 220-2.050	State Board of Pharmacy		30 MoReg 48		
4 CSR 220-5.030	State Board of Pharmacy		30 MoReg 48		
4 CSR 230-1.010	State Board of Podiatric Medicine		29 MoReg 1444	30 MoReg 384	
4 CSR 230-1.020	State Board of Podiatric Medicine		29 MoReg 1444	30 MoReg 385	
4 CSR 230-1.030	State Board of Podiatric Medicine		29 MoReg 1444	30 MoReg 385	
4 CSR 230-2.010	State Board of Podiatric Medicine		29 MoReg 1445	30 MoReg 385	
4 CSR 230-2.020	State Board of Podiatric Medicine		29 MoReg 1446	30 MoReg 385	
4 CSR 230-2.021	State Board of Podiatric Medicine		29 MoReg 1447	30 MoReg 385	
4 CSR 230-2.022	State Board of Podiatric Medicine		29 MoReg 1447	30 MoReg 385	

Rule Number	Agency	Emergency	Proposed	Order	In Addition
4 CSR 230-2.030	State Board of Podiatric Medicine		29 MoReg 1448	30 MoReg 386	
4 CSR 230-2.041	State Board of Podiatric Medicine		29 MoReg 1450	30 MoReg 386	
4 CSR 230-2.050	State Board of Podiatric Medicine		29 MoReg 1451	30 MoReg 386	
4 CSR 230-2.065	State Board of Podiatric Medicine		29 MoReg 1452	30 MoReg 386	
4 CSR 230-2.070	State Board of Podiatric Medicine		29 MoReg 1453	30 MoReg 386	
4 CSR 233-1.040	State Committee of Marital and Family Therapists		30 MoReg 511		
4 CSR 240-3.130	Public Service Commission		This Issue		
4 CSR 240-3.135	Public Service Commission		This Issue		
4 CSR 240-3.513	Public Service Commission		30 MoReg 151		
4 CSR 240-29.010	Public Service Commission		30 MoReg 49		
4 CSR 240-29.020	Public Service Commission		30 MoReg 50		
4 CSR 240-29.030	Public Service Commission		30 MoReg 52		
4 CSR 240-29.040	Public Service Commission		30 MoReg 53		
4 CSR 240-29.050	Public Service Commission		30 MoReg 53		
4 CSR 240-29.060	Public Service Commission		30 MoReg 58		
4 CSR 240-29.070	Public Service Commission		30 MoReg 58		
4 CSR 240-29.080	Public Service Commission		30 MoReg 59		
4 CSR 240-29.090	Public Service Commission		30 MoReg 59		
4 CSR 240-29.100	Public Service Commission		30 MoReg 62		
4 CSR 240-29.110	Public Service Commission		30 MoReg 63		
4 CSR 240-29.120	Public Service Commission		30 MoReg 63		
4 CSR 240-29.130	Public Service Commission		30 MoReg 64		
4 CSR 240-29.140	Public Service Commission		30 MoReg 65		
4 CSR 240-29.150	Public Service Commission		30 MoReg 66		
4 CSR 240-29.160	Public Service Commission		30 MoReg 67		
4 CSR 240-32.060	Public Service Commission		28 MoReg 2147		
4 CSR 240-33.045	Public Service Commission		30 MoReg 573		
4 CSR 240-125.010	Public Service Commission		30 MoReg 365		
4 CSR 240-125.020	Public Service Commission		30 MoReg 366		
4 CSR 240-125.030	Public Service Commission		30 MoReg 366		
4 CSR 240-125.040	Public Service Commission		30 MoReg 367		
4 CSR 240-125.050	Public Service Commission		30 MoReg 370		
4 CSR 240-125.060	Public Service Commission		30 MoReg 370		
4 CSR 240-125.070	Public Service Commission		30 MoReg 373		
4 CSR 250-5.030	Missouri Real Estate Commission		30 MoReg 268		
4 CSR 267-2.020	Office of Tattooing, Body Piercing and Branding		30 MoReg 516		
4 CSR 267-4.020	Office of Tattooing, Body Piercing and Branding		29 MoReg 1542	30 MoReg 564	
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 50-340.150	Division of School Improvement		29 MoReg 1806R 29 MoReg 1806		
5 CSR 60-100.050	Division of Career Education		29 MoReg 1709	30 MoReg 564	
5 CSR 80-670.100	Teacher Quality and Urban Education		29 MoReg 1809		
5 CSR 80-800.200	Teacher Quality and Urban Education		29 MoReg 1711	30 MoReg 564	
5 CSR 80-800.220	Teacher Quality and Urban Education		29 MoReg 1711	30 MoReg 564	
5 CSR 80-800.230	Teacher Quality and Urban Education		29 MoReg 1714	30 MoReg 566	
5 CSR 80-800.260	Teacher Quality and Urban Education		29 MoReg 1715	30 MoReg 566	
5 CSR 80-800.270	Teacher Quality and Urban Education		29 MoReg 1716	30 MoReg 567	
5 CSR 80-800.280	Teacher Quality and Urban Education		29 MoReg 1717	30 MoReg 567	
5 CSR 80-800.350	Teacher Quality and Urban Education		29 MoReg 1719	30 MoReg 568	
5 CSR 80-800.360	Teacher Quality and Urban Education		29 MoReg 1721	30 MoReg 569	
5 CSR 80-800.380	Teacher Quality and Urban Education		29 MoReg 1721	30 MoReg 569	
5 CSR 80-800.400	Teacher Quality and Urban Education		29 MoReg 1725	30 MoReg 572	
5 CSR 90-7.010	Vocational Rehabilitation		29 MoReg 1051		
5 CSR 90-7.100	Vocational Rehabilitation		29 MoReg 1051		
5 CSR 90-7.200	Vocational Rehabilitation		29 MoReg 1052		
5 CSR 90-7.300	Vocational Rehabilitation		29 MoReg 1052		
5 CSR 90-7.310	Vocational Rehabilitation		29 MoReg 1053		
5 CSR 90-7.320	Vocational Rehabilitation		29 MoReg 1053		
5 CSR 100-200.030	Missouri Commission for the Deaf and Hard of Hearing		30 MoReg 519		
5 CSR 100-200.045	Missouri Commission for the Deaf and Hard of Hearing		30 MoReg 519R 30 MoReg 519		
5 CSR 100-200.150	Missouri Commission for the Deaf and Hard of Hearing		30 MoReg 520		
5 CSR 100-200.170	Missouri Commission for the Deaf and Hard of Hearing		30 MoReg 520		
5 CSR 100-200.210	Missouri Commission for the Deaf and Hard of Hearing		30 MoReg 521		
5 CSR 100-200.220	Missouri Commission for the Deaf and Hard of Hearing		30 MoReg 522		
DEPARTMENT OF TRANSPORTATION					
7 CSR 10-17.010	Missouri Highways and Transportation Commission		28 MoReg 1563		
7 CSR 10-25.010	Missouri Highways and Transportation Commission				30 MoReg 321 30 MoReg 480 This Issue

Rule Number	Agency	Emergency	Proposed	Order	In Addition
7 CSR 10-25.040	Missouri Highways and Transportation Commission		29 MoReg 1352	30 MoReg 386	
	DEPARTMENT OF MENTAL HEALTH				
9 CSR 10-5.205	Director, Department of Mental Health		30 MoReg 270		
9 CSR 10-5.206	Director, Department of Mental Health		This Issue		
9 CSR 10-31.014	Director, Department of Mental Health	29 MoReg 1507	29 MoReg 1544	30 MoReg 306	
9 CSR 25-3.030	Fiscal Management		30 MoReg 441		
9 CSR 30-3.132	Certification Standards	29 MoReg 2255	29 MoReg 2258 30 MoReg 444	30 MoReg 572	
9 CSR 45-2.015	Division of Mental Retardation and Developmental Disabilities	29 MoReg 1635	29 MoReg 1725	30 MoReg 572W	
9 CSR 45-2.017	Division of Mental Retardation and Developmental Disabilities		29 MoReg 2258	30 MoReg 572W	
9 CSR 45-5.020	Division of Mental Retardation and Developmental Disabilities		29 MoReg 1455R	30 MoReg 307R	
9 CSR 45-5.030	Division of Mental Retardation and Developmental Disabilities		29 MoReg 1455R	30 MoReg 308R	
	DEPARTMENT OF NATURAL RESOURCES				
10 CSR 10-6.065	Air Conservation Commission		30 MoReg 153		30 MoReg 322
10 CSR 10-6.070	Air Conservation Commission		This Issue		
10 CSR 10-6.075	Air Conservation Commission		This Issue		
10 CSR 10-6.080	Air Conservation Commission		This Issue		
10 CSR 10-6.120	Air Conservation Commission		29 MoReg 1196	30 MoReg 308	
10 CSR 10-6.360	Air Conservation Commission		30 MoReg 522		
10 CSR 10-6.380	Air Conservation Commission		30 MoReg 549		
10 CSR 10-6.390	Air Conservation Commission		30 MoReg 553		
10 CSR 25-17.010	Hazardous Waste Management Commission		29 MoReg 794	30 MoReg 308W	30 MoReg 323
10 CSR 25-17.020	Hazardous Waste Management Commission		29 MoReg 795	30 MoReg 308W	30 MoReg 323
10 CSR 25-17.030	Hazardous Waste Management Commission		29 MoReg 796	30 MoReg 308W	30 MoReg 323
10 CSR 25-17.040	Hazardous Waste Management Commission		29 MoReg 797	30 MoReg 309W	30 MoReg 323
10 CSR 25-17.050	Hazardous Waste Management Commission		29 MoReg 803	30 MoReg 309W	30 MoReg 323
10 CSR 25-17.060	Hazardous Waste Management Commission		29 MoReg 810	30 MoReg 309W	30 MoReg 323
10 CSR 25-17.070	Hazardous Waste Management Commission		29 MoReg 810	30 MoReg 310W	30 MoReg 323
10 CSR 25-17.080	Hazardous Waste Management Commission		29 MoReg 817	30 MoReg 310W	30 MoReg 323
10 CSR 25-17.090	Hazardous Waste Management Commission		29 MoReg 824	30 MoReg 310W	30 MoReg 323
10 CSR 25-17.100	Hazardous Waste Management Commission		29 MoReg 830	30 MoReg 310W	30 MoReg 323
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10 CSR 25-17.160	Hazardous Waste Management Commission		29 MoReg 839	30 MoReg 312W	30 MoReg 323
10 CSR 25-17.170	Hazardous Waste Management Commission		29 MoReg 839	30 MoReg 312W	30 MoReg 323
10 CSR 40-10.020	Land Reclamation Commission		29 MoReg 1303	This Issue	
10 CSR 40-10.030	Land Reclamation Commission		29 MoReg 1304	This Issue	
10 CSR 40-10.040	Land Reclamation Commission		29 MoReg 1305	This Issue	
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10 CSR 40-10.080	Land Reclamation Commission		29 MoReg 1311	This Issue	
10 CSR 40-10.100	Land Reclamation Commission		29 MoReg 1313	This Issue	
10 CSR 80	Solid Waste Management				30 MoReg 324
10 CSR 90-2.020	State Parks		29 MoReg 1726		
10 CSR 140-2.020	Division of Energy				30 MoReg 574
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11 CSR 40-6.020	Division of Fire Safety		29 MoReg 1809	30 MoReg 463	
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11 CSR 40-6.080	Division of Fire Safety		29 MoReg 1816	30 MoReg 464	
11 CSR 45-1.090	Missouri Gaming Commission		30 MoReg 376		
11 CSR 45-1.100	Missouri Gaming Commission		29 MoReg 1464	30 MoReg 315	
11 CSR 45-4.260	Missouri Gaming Commission		29 MoReg 1464	30 MoReg 316	
11 CSR 45-5.200	Missouri Gaming Commission		30 MoReg 376		
11 CSR 45-12.020	Missouri Gaming Commission				30 MoReg 481
11 CSR 45-12.090	Missouri Gaming Commission		29 MoReg 1464	30 MoReg 316	30 MoReg 481
11 CSR 45-30.025	Missouri Gaming Commission		30 MoReg 67		
11 CSR 45-30.030	Missouri Gaming Commission		30 MoReg 68		
11 CSR 45-30.035	Missouri Gaming Commission		30 MoReg 68		
11 CSR 45-30.040	Missouri Gaming Commission		30 MoReg 68		

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11 CSR 45-30.060	Missouri Gaming Commission		30 MoReg 69		
11 CSR 45-30.070	Missouri Gaming Commission		30 MoReg 69		
11 CSR 45-30.135	Missouri Gaming Commission		30 MoReg 70		
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11 CSR 45-30.525	Missouri Gaming Commission		30 MoReg 78		
11 CSR 45-30.545	Missouri Gaming Commission		30 MoReg 79		
11 CSR 45-30.575	Missouri Gaming Commission		30 MoReg 79		
11 CSR 45-30.600	Missouri Gaming Commission		30 MoReg 80		
11 CSR 75-13.010	Peace Officer Standards and Training Program		29 MoReg 2218	30 MoReg 572	
11 CSR 75-13.030	Peace Officer Standards and Training Program		29 MoReg 2218	30 MoReg 572	
11 CSR 75-13.060	Peace Officer Standards and Training Program		29 MoReg 2218	30 MoReg 573	
11 CSR 75-14.030	Peace Officer Standards and Training Program		30 MoReg 163		
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12 CSR 10-5.070	Director of Revenue		30 MoReg 164R		
12 CSR 10-5.075	Director of Revenue		30 MoReg 164R		
12 CSR 10-5.545	Director of Revenue		30 MoReg 165R		
12 CSR 10-5.550	Director of Revenue		30 MoReg 165R		
12 CSR 10-5.555	Director of Revenue		30 MoReg 165R		
12 CSR 10-5.560	Director of Revenue		30 MoReg 165R		
12 CSR 10-5.565	Director of Revenue		30 MoReg 166R		
12 CSR 10-11.100	Director of Revenue		30 MoReg 166R		
12 CSR 10-11.120	Director of Revenue		30 MoReg 166R		
12 CSR 10-11.130	Director of Revenue		30 MoReg 166R		
12 CSR 10-11.140	Director of Revenue		30 MoReg 167R		
12 CSR 10-23.290	Director of Revenue		29 MoReg 2259	This IssueW	
12 CSR 10-23.335	Director of Revenue		29 MoReg 1547	30 MoReg 316	
12 CSR 10-23.375	Director of Revenue		29 MoReg 1547R	30 MoReg 316R	
12 CSR 10-23.460	Director of Revenue		30 MoReg 167		
12 CSR 10-23.465	Director of Revenue		29 MoReg 1547	30 MoReg 316	
12 CSR 10-25.050	Director of Revenue		30 MoReg 167		
12 CSR 10-26.040	Director of Revenue		30 MoReg 168		
12 CSR 10-26.130	Director of Revenue		29 MoReg 1550R	30 MoReg 316R	
12 CSR 10-26.140	Director of Revenue		29 MoReg 1550R	30 MoReg 317R	
12 CSR 10-26.150	Director of Revenue		29 MoReg 1550R	30 MoReg 317R	
12 CSR 10-26.160	Director of Revenue		29 MoReg 1550R	30 MoReg 317R	
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12 CSR 10-103.210	Director of Revenue		29 MoReg 1551	30 MoReg 317	
12 CSR 10-104.040	Director of Revenue		30 MoReg 83		
12 CSR 10-107.100	Director of Revenue		29 MoReg 2219		
12 CSR 10-110.400	Director of Revenue		30 MoReg 86		
12 CSR 10-114.100	Director of Revenue		30 MoReg 90		
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12 CSR 10-400.250	Director of Revenue		30 MoReg 93		
12 CSR 10-405.100	Director of Revenue	This Issue	This Issue		
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12 CSR 40-50.040	State Lottery		29 MoReg 1468	30 MoReg 387	
12 CSR 40-85.170	State Lottery		29 MoReg 1468	30 MoReg 388	
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13 CSR 35-50.010	Children's Division	30 MoReg 234	30 MoReg 272		
13 CSR 35-80.010	Children's Division	29 MoReg 1636	29 MoReg 1729	30 MoReg 388	
13 CSR 35-80.020	Children's Division	29 MoReg 1637	29 MoReg 1729	30 MoReg 388	
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13 CSR 40-110.020	Division of Family Services		29 MoReg 1554	30 MoReg 317	
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13 CSR 40-110.030	Division of Family Services		30 MoReg 561		
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13 CSR 70-15.110	Division of Medical Services	29 MoReg 1508	29 MoReg 1731	30 MoReg 317	
13 CSR 70-20.200	Division of Medical Services		30 MoReg 171		
13 CSR 70-26.010	Division of Medical Services		30 MoReg 383		
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15 CSR 30-50.040	Secretary of State		30 MoReg 172		
15 CSR 30-54.195	Secretary of State		30 MoReg 173		
15 CSR 40-3.120	State Auditor	29 MoReg 1639R	29 MoReg 2261		
15 CSR 40-3.130	State Auditor	29 MoReg 1639	29 MoReg 2262		
15 CSR 40-3.140	State Auditor	29 MoReg 1651	29 MoReg 2274		
15 CSR 40-3.150	State Auditor	29 MoReg 1661	29 MoReg 2284		
15 CSR 40-3.160	State Auditor	29 MoReg 1673	29 MoReg 2296		
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15 CSR 60-14.020	Attorney General	29 MoReg 1509	29 MoReg 1557	30 MoReg 465	
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19 CSR 20-1.025	Division of Environmental Health and Communicable Disease Prevention		This Issue		
19 CSR 20-20.010	Division of Environmental Health and Communicable Disease Prevention		29 MoReg 1733	30 MoReg 465	
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19 CSR 20-50.005	Division of Environmental Health and Communicable Disease Prevention	30 MoReg 140	30 MoReg 173		
19 CSR 20-50.010	Division of Environmental Health and Communicable Disease Prevention	30 MoReg 141	30 MoReg 174		
19 CSR 20-50.015	Division of Environmental Health and Communicable Disease Prevention	30 MoReg 141	30 MoReg 174		
19 CSR 20-50.020	Division of Environmental Health and Communicable Disease Prevention	30 MoReg 142	30 MoReg 176		
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19 CSR 20-50.035	Division of Environmental Health and Communicable Disease Prevention	30 MoReg 145	30 MoReg 183		
19 CSR 20-50.040	Division of Environmental Health and Communicable Disease Prevention	30 MoReg 145	30 MoReg 185		
19 CSR 25-36.010	Division of Administration		30 MoReg 453		
19 CSR 30-60.010	Division of Senior Services and Regulation		29 MoReg 1817R		
			29 MoReg 1818		
19 CSR 30-60.015	Division of Senior Services and Regulation		29 MoReg 1819		
19 CSR 30-60.020	Division of Health Standards and Licensure		29 MoReg 1819R		
19 CSR 30-60.025	Division of Senior Services and Regulation		29 MoReg 1820		
19 CSR 30-60.030	Division of Health Standards and Licensure		29 MoReg 1824R		
19 CSR 30-60.035	Division of Senior Services and Regulation		29 MoReg 1824		
19 CSR 30-60.040	Division of Health Standards and Licensure		29 MoReg 1828R		
19 CSR 30-60.045	Division of Senior Services and Regulation		29 MoReg 1828		
19 CSR 30-60.050	Division of Health Standards and Licensure		29 MoReg 1832R		
19 CSR 30-60.055	Division of Senior Services and Regulation		29 MoReg 1832		
19 CSR 30-60.060	Division of Health Standards and Licensure		29 MoReg 1836R		
19 CSR 30-60.061	Division of Senior Services and Regulation		29 MoReg 1836		
19 CSR 30-60.065	Division of Senior Services and Regulation		29 MoReg 1843		
19 CSR 30-60.070	Division of Health Standards and Licensure		29 MoReg 1848R		
19 CSR 30-60.071	Division of Senior Services and Regulation		29 MoReg 1848		
19 CSR 30-60.075	Division of Senior Services and Regulation		29 MoReg 1852		
19 CSR 30-60.080	Division of Senior Services and Regulation		29 MoReg 1855R		
			29 MoReg 1855		
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19 CSR 30-60.105	Division of Senior Services and Regulation		29 MoReg 1878		
19 CSR 30-60.110	Division of Health Standards and Licensure		29 MoReg 1882R		
19 CSR 30-60.115	Division of Senior Services and Regulation		29 MoReg 1882		
19 CSR 30-60.120	Division of Health Standards and Licensure		29 MoReg 1887R		
19 CSR 30-60.125	Division of Senior Services and Regulation		29 MoReg 1887		
19 CSR 30-60.135	Division of Senior Services and Regulation		29 MoReg 1891		
19 CSR 30-60.145	Division of Senior Services and Regulation		29 MoReg 1895		
19 CSR 30-60.155	Division of Senior Services and Regulation		29 MoReg 1898		
19 CSR 30-61.010	Division of Senior Services and Regulation		29 MoReg 1901R		
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19 CSR 30-61.015	Division of Senior Services and Regulation		29 MoReg 1903R		
			29 MoReg 1903		
19 CSR 30-61.025	Division of Health Standards and Licensure		29 MoReg 1906R		
19 CSR 30-61.045	Division of Senior Services and Regulation		29 MoReg 1906R		
			29 MoReg 1906		
19 CSR 30-61.055	Division of Senior Services and Regulation		29 MoReg 1911R		
			29 MoReg 1911		
19 CSR 30-61.060	Division of Senior Services and Regulation		29 MoReg 1915		
19 CSR 30-61.065	Division of Senior Services and Regulation		29 MoReg 1919		
19 CSR 30-61.070	Division of Senior Services and Regulation		29 MoReg 1926		
19 CSR 30-61.075	Division of Senior Services and Regulation		29 MoReg 1932		
19 CSR 30-61.080	Division of Senior Services and Regulation		29 MoReg 1937		
19 CSR 30-61.085	Division of Health Standards and Licensure		29 MoReg 1940R		
19 CSR 30-61.086	Division of Senior Services and Regulation		29 MoReg 1940R		
			29 MoReg 1940		
19 CSR 30-61.090	Division of Senior Services and Regulation		29 MoReg 1948		
19 CSR 30-61.095	Division of Health Standards and Licensure		29 MoReg 1957R		
19 CSR 30-61.100	Division of Senior Services and Regulation		29 MoReg 1957		
19 CSR 30-61.105	Division of Health Standards and Licensure		29 MoReg 1964R		
19 CSR 30-61.110	Division of Senior Services and Regulation		29 MoReg 1964		
19 CSR 30-61.115	Division of Health Standards and Licensure		29 MoReg 1969R		
19 CSR 30-61.120	Division of Senior Services and Regulation		29 MoReg 1969		
19 CSR 30-61.125	Division of Health Standards and Licensure		29 MoReg 1975R		
19 CSR 30-61.130	Division of Senior Services and Regulation		29 MoReg 1975		
19 CSR 30-61.135	Division of Health Standards and Licensure		29 MoReg 1981R		
19 CSR 30-61.140	Division of Senior Services and Regulation		29 MoReg 1981		
19 CSR 30-61.145	Division of Health Standards and Licensure		29 MoReg 1986R		
19 CSR 30-61.150	Division of Senior Services and Regulation		29 MoReg 1986		
19 CSR 30-61.151	Division of Senior Services and Regulation		29 MoReg 1997		
19 CSR 30-61.155	Division of Senior Services and Regulation		29 MoReg 2001R		
			29 MoReg 2001		
19 CSR 30-61.165	Division of Senior Services and Regulation		29 MoReg 2005R		
			29 MoReg 2005		
19 CSR 30-61.170	Division of Senior Services and Regulation		29 MoReg 2009		
19 CSR 30-61.175	Division of Health Standards and Licensure		29 MoReg 2013R		
19 CSR 30-61.180	Division of Senior Services and Regulation		29 MoReg 2013		
19 CSR 30-61.185	Division of Health Standards and Licensure		29 MoReg 2017R		
19 CSR 30-61.190	Division of Health Standards and Licensure		29 MoReg 2017R		
19 CSR 30-61.200	Division of Health Standards and Licensure		29 MoReg 2017R		
19 CSR 30-61.210	Division of Health Standards and Licensure		29 MoReg 2017R		
19 CSR 30-61.220	Division of Senior Services and Regulation		29 MoReg 2018R		
			29 MoReg 2018		
19 CSR 30-61.230	Division of Senior Services and Regulation		29 MoReg 2022		
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			29 MoReg 2024		
19 CSR 30-62.022	Division of Senior Services and Regulation		29 MoReg 2026R		
			29 MoReg 2026		
19 CSR 30-62.032	Division of Health Standards and Licensure		29 MoReg 2029R		
19 CSR 30-62.042	Division of Senior Services and Regulation		29 MoReg 2029R		
			29 MoReg 2029		
19 CSR 30-62.052	Division of Senior Services and Regulation		29 MoReg 2034R		
			29 MoReg 2034		
19 CSR 30-62.060	Division of Senior Services and Regulation		29 MoReg 2038		
19 CSR 30-62.065	Division of Senior Services and Regulation		29 MoReg 2042		
19 CSR 30-62.070	Division of Senior Services and Regulation		29 MoReg 2049		
19 CSR 30-62.075	Division of Senior Services and Regulation		29 MoReg 2055		
19 CSR 30-62.080	Division of Senior Services and Regulation		29 MoReg 2060		
19 CSR 30-62.082	Division of Health Standards and Licensure		29 MoReg 2063R		
19 CSR 30-62.087	Division of Senior Services and Regulation		29 MoReg 2063R		
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19 CSR 30-62.090	Division of Senior Services and Regulation		29 MoReg 2072		
19 CSR 30-62.092	Division of Health Standards and Licensure		29 MoReg 2082R		
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19 CSR 30-62.112	Division of Senior Services and Regulation		29 MoReg 2090R		
			29 MoReg 2090		
19 CSR 30-62.120	Division of Senior Services and Regulation		29 MoReg 2095		
19 CSR 30-62.122	Division of Health Standards and Licensure		29 MoReg 2100R		
19 CSR 30-62.125	Division of Senior Services and Regulation		29 MoReg 2100		
19 CSR 30-62.130	Division of Senior Services and Regulation		29 MoReg 2105		
19 CSR 30-62.132	Division of Health Standards and Licensure		29 MoReg 2111R		
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19 CSR 30-62.142	Division of Health Standards and Licensure		29 MoReg 2116R		
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19 CSR 30-62.151	Division of Senior Services and Regulation		29 MoReg 2121		
19 CSR 30-62.152	Division of Health Standards and Licensure		29 MoReg 2126R		
19 CSR 30-62.162	Division of Senior Services and Regulation		29 MoReg 2126R		
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			29 MoReg 2130		
19 CSR 30-62.182	Division of Health Standards and Licensure		29 MoReg 2134R		
19 CSR 30-62.192	Division of Health Standards and Licensure		29 MoReg 2134R		
19 CSR 30-62.202	Division of Health Standards and Licensure		29 MoReg 2134R		
19 CSR 30-62.212	Division of Health Standards and Licensure		29 MoReg 2134R		
19 CSR 30-62.222	Division of Senior Services and Regulation		29 MoReg 2135R		
			29 MoReg 2135		
19 CSR 30-62.224	Division of Senior Services and Regulation		29 MoReg 2140		
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19 CSR 30-62.228	Division of Senior Services and Regulation		29 MoReg 2149		
19 CSR 30-62.230	Division of Senior Services and Regulation		29 MoReg 2152R		
			29 MoReg 2152		
19 CSR 30-62.240	Division of Senior Services and Regulation		29 MoReg 2156		
19 CSR 30-82.050	Division of Senior Services and Regulation		29 MoReg 2305		
19 CSR 30-82.090	Division of Health Standards and Licensure		28 MoReg 2254		
19 CSR 30-83.010	Division of Senior Services and Regulation		29 MoReg 1567	30 MoReg 318	
19 CSR 30-86.012	Division of Health Standards and Licensure		29 MoReg 2307		
19 CSR 30-86.032	Division of Health Standards and Licensure		29 MoReg 2308		
19 CSR 30-86.042	Division of Health Standards and Licensure		29 MoReg 2309		
19 CSR 30-89.010	Division of Health Standards and Licensure		29 MoReg 1568R	30 MoReg 318R	
19 CSR 30-90.010	Division of Senior Services and Regulation		29 MoReg 1569	30 MoReg 318	
19 CSR 30-90.020	Division of Senior Services and Regulation		29 MoReg 1570	30 MoReg 318	
19 CSR 30-90.030	Division of Health Standards and Licensure		29 MoReg 1574R	30 MoReg 319R	
19 CSR 30-90.040	Division of Senior Services and Regulation		29 MoReg 1574	30 MoReg 319	
19 CSR 30-90.050	Division of Senior Services and Regulation		29 MoReg 1579	30 MoReg 319	
19 CSR 30-90.060	Division of Senior Services and Regulation		29 MoReg 1581	30 MoReg 319	
19 CSR 30-90.070	Division of Senior Services and Regulation		29 MoReg 1582	30 MoReg 319	
19 CSR 30-90.080	Division of Health Standards and Licensure		29 MoReg 1587R	30 MoReg 319R	
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20 CSR 400-2.170	Life, Annuities and Health		29 MoReg 1755		
20 CSR 500-2.300	Property and Casualty		29 MoReg 2223	30 MoReg 573	
20 CSR 700-6.100	Licensing	29 MoReg 2209	29 MoReg 1587	30 MoReg 388	
20 CSR 700-6.150	Licensing	29 MoReg 2209	29 MoReg 1590	30 MoReg 388	
20 CSR 700-6.160	Licensing		29 MoReg 1593	30 MoReg 389	
20 CSR 700-6.170	Licensing		29 MoReg 1597	30 MoReg 389	
20 CSR 700-6.200	Licensing		29 MoReg 1597	30 MoReg 389	
20 CSR 700-6.250	Licensing		29 MoReg 1598	30 MoReg 389	
20 CSR 700-6.300	Licensing		29 MoReg 1598	30 MoReg 389	
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22 CSR 10-2.010	Health Care Plan	30 MoReg 237R 30 MoReg 237	30 MoReg 275R 30 MoReg 275		
22 CSR 10-2.020	Health Care Plan	30 MoReg 240R 30 MoReg 240	30 MoReg 280R 30 MoReg 280		
22 CSR 10-2.030	Health Care Plan	30 MoReg 243R 30 MoReg 243	30 MoReg 283R 30 MoReg 283		
22 CSR 10-2.045	Health Care Plan	30 MoReg 244R 30 MoReg 244	30 MoReg 283R 30 MoReg 284		
22 CSR 10-2.055	Health Care Plan	30 MoReg 245R 30 MoReg 245	30 MoReg 284R 30 MoReg 284		

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22 CSR 10-2.070	Health Care Plan	30 MoReg 246R 30 MoReg 246	30 MoReg 285R 30 MoReg 285		
22 CSR 10-2.075	Health Care Plan	30 MoReg 248R 30 MoReg 248	30 MoReg 286R 30 MoReg 287		
22 CSR 10-2.080	Health Care Plan	30 MoReg 249R 30 MoReg 250	30 MoReg 288R 30 MoReg 288		
22 CSR 10-3.010	Health Care Plan	30 MoReg 250	30 MoReg 289		
22 CSR 10-3.020	Health Care Plan	30 MoReg 253	30 MoReg 291		
22 CSR 10-3.030	Health Care Plan	30 MoReg 256	30 MoReg 294		
22 CSR 10-3.070	Health Care Plan	30 MoReg 257	30 MoReg 297		
22 CSR 10-3.075	Health Care Plan	30 MoReg 258	30 MoReg 298		
22 CSR 10-3.080	Health Care Plan	30 MoReg 259	30 MoReg 299		

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- 2 CSR 30-2.010 Health Requirements Governing the Admission of Livestock, Poultry
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- 9 CSR 30-3.132 Opioid Treatment Program 29 MoReg 2255 May 16, 2005

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- 9 CSR 45-2.015 Criteria for MRDD Comprehensive Waiver Slot Assignment 29 MoReg 1635 April 15, 2005

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- 12 CSR 10-41.010 Annual Adjusted Rate of Interest 30 MoReg 5 June 29, 2005
12 CSR 10-400.200 Special Needs Adoption Tax Credit 30 MoReg 357 July 15, 2005
12 CSR 10-405.100 Homestead Preservation Credit—Procedures This Issue September 15, 2005
12 CSR 10-405.200 Homestead Preservation Credit—Qualifications and Amount of Credit. . This Issue September 15, 2005

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- 13 CSR 35-30.010 Voluntary Placement Agreement Solely for the Purpose of
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Children Under Age Eighteen (18) 30 MoReg 233 June 30, 2005
13 CSR 35-50.010 Accreditation as Evidence for Meeting Licensing Requirements 30 MoReg 234 June 30, 2005

Family Support Division

- 13 CSR 40-19.020 Low Income Home Energy Assistance Program 29 MoReg 1637 April 1, 2005
13 CSR 40-110.020 Federal Income Tax Refund Offset Fee This Issue September 25, 2005

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- 13 CSR 70-10.110 Nursing Facility Reimbursement Allowance 30 MoReg 235 June 29, 2005

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- 15 CSR 40-3.120 Calculation and Revision of Property Tax Rates 29 MoReg 1639 April 1, 2005
15 CSR 40-3.130 Calculation and Revision of Property Tax Rates by School Districts
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15 CSR 40-3.140 Calculation and Revision of Property Tax Rates by School Districts
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15 CSR 40-3.150 Calculation and Revision of Property Tax Rates by Political Subdivisions
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15 CSR 40-3.160 Calculation and Revision of Property Tax Rates by Political Subdivision
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- 19 CSR 20-50.005 Definitions 30 MoReg 140. June 29, 2005
19 CSR 20-50.010 Eligibility Requirements for Pharmacies, Hospitals and Nonprofit
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19 CSR 20-50.015 Eligibility Requirements for Recipients in the Program 30 MoReg 141. June 29, 2005
19 CSR 20-50.020 Standards and Procedures for Donating Prescription Drugs 30 MoReg 142. June 29, 2005
19 CSR 20-50.025 Standards and Procedures for Accepting Donated Prescription Drugs . . 30 MoReg 143. June 29, 2005
19 CSR 20-50.030 Standards and Procedures for Inspecting and Storing
Donated Prescription Drugs. 30 MoReg 144. June 29, 2005
19 CSR 20-50.035 Standards and Procedures for Dispensing Donated Prescription Drugs . . 30 MoReg 145. June 29, 2005
19 CSR 20-50.040 Record Keeping Requirements. 30 MoReg 145. June 29, 2005

Department of Insurance

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- 20 CSR 700-6.100 Fees and Renewals—Bail Bond Agents, General Bail Bond Agents
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20 CSR 700-6.150 Initial Basic Training for Bail Bond Agents, General Bail Bond Agents
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22 CSR 10-2.010	Definitions	30 MoReg 237.	June 29, 2005
22 CSR 10-2.010	Definitions	30 MoReg 237.	June 29, 2005
22 CSR 10-2.020	Membership Agreement and Participation Agreement.	30 MoReg 240.	June 29, 2005
22 CSR 10-2.020	Subscriber Agreement and General Membership Provisions.	30 MoReg 240.	June 29, 2005
22 CSR 10-2.030	Contributions	30 MoReg 243.	June 29, 2005
22 CSR 10-2.030	Contributions	30 MoReg 243.	June 29, 2005
22 CSR 10-2.045	Co-Pay and PPO Plan Summaries	30 MoReg 244.	June 29, 2005
22 CSR 10-2.045	Plan Utilization Review Policy	30 MoReg 244.	June 29, 2005
22 CSR 10-2.055	Co-Pay and PPO Plan Benefit Provisions and Covered Charges	30 MoReg 245.	June 29, 2005
22 CSR 10-2.055	Medical Plan Benefit Provisions and Covered Charges	30 MoReg 245.	June 29, 2005
22 CSR 10-2.070	Coordination of Benefits	30 MoReg 246.	June 29, 2005
22 CSR 10-2.070	Coordination of Benefits	30 MoReg 246.	June 29, 2005
22 CSR 10-2.075	Review and Appeals Procedure	30 MoReg 248.	June 29, 2005
22 CSR 10-2.075	Review and Appeals Procedure	30 MoReg 248.	June 29, 2005
22 CSR 10-2.080	Miscellaneous Provisions	30 MoReg 249.	June 29, 2005
22 CSR 10-2.080	Miscellaneous Provisions	30 MoReg 250.	June 29, 2005
22 CSR 10-3.010	Definitions	30 MoReg 250.	June 29, 2005
22 CSR 10-3.020	Subscriber Agreement and General Membership Provisions.	30 MoReg 253.	June 29, 2005
22 CSR 10-3.030	Public Entity Membership Agreement and Participation Period	30 MoReg 256.	June 29, 2005
22 CSR 10-3.070	Coordination of Benefits	30 MoReg 257.	June 29, 2005
22 CSR 10-3.075	Review and Appeals Procedure	30 MoReg 258.	June 29, 2005
22 CSR 10-3.080	Miscellaneous Provisions	30 MoReg 259.	June 29, 2005

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Executive Orders	Subject Matter	Filed Date	Publication
2005			
05-01	Rescinds Executive Order 01-09	January 11, 2005	30 MoReg 261
05-02	Restricts new lease and purchase of vehicles, cellular phones, and office space by executive agencies	January 11, 2005	30 MoReg 262
05-03	Closes state's Washington D.C. office	January 11, 2005	30 MoReg 264
05-04	Authorizes Transportation Director to issue declaration of regional or local emergency with reference to motor carriers	January 11, 2005	30 MoReg 266
05-05	Establishes the 2005 Missouri State Government Review Commission	January 24, 2005	30 MoReg 359
05-06	Bans the use of video games by inmates in all state correctional facilities	January 24, 2005	30 MoReg 362
05-07	Consolidates the Office of Information Technology to the Office of Administration's Division of Information Services	January 26, 2005	30 MoReg 363
05-08	Consolidates the Division of Design and Construction to Division of Facilities Management, Design and Construction	February 2, 2005	30 MoReg 433
05-09	Transfers the Missouri Head Injury Advisory Council to the Department of Health and Senior Services	February 2, 2005	30 MoReg 435
05-10	Transfers and consolidates in-home care for elderly and disabled individuals from the Department of Elementary and Secondary Education and the Department of Social Services to the Department of Health and Senior Services	February 3, 2005	30 MoReg 437
05-11	Rescinds Executive Order 04-22 and orders the Department of Health and Senior Services and all Missouri health care providers and others that possess influenza vaccine adopt the Center for Disease Control and Prevention, Advisory Committee for Immunization Practices expanded priority group designations as soon as possible and update the designations as necessary	February 3, 2005	30 MoReg 439
05-12	Designates members of staff with supervisory authority over selected state agencies	March 8, 2005	This Issue
2004			
04-01	Establishes the Public Safety Officer Medal of Valor, and the Medal of Valor Review Board	February 3, 2004	29 MoReg 294
04-02	Designates staff having supervisory authority over agencies	February 3, 2004	29 MoReg 297
04-03	Creates the Missouri Automotive Partnership	January 14, 2004	29 MoReg 151
04-04	Creates the Missouri Methamphetamine Education and Prevention Task Force	January 27, 2004	29 MoReg 154
04-05	Establishes a Missouri Methamphetamine Treatment Task Force	January 27, 2004	29 MoReg 156
04-06	Establishes a Missouri Methamphetamine Enforcement and Environmental Protection Task Force	January 27, 2004	29 MoReg 158
04-07	Establishes the Missouri Commission on Patient Safety and supercedes Executive Order 03-16	February 3, 2004	29 MoReg 299
04-08	Transfers the Governor's Council on Disability and the Missouri Assistive Technology Advisory Council to the Office of Administration	February 3, 2004	29 MoReg 301
04-09	Requires vendors to disclose services performed offshore. Restricts agencies in awarding contracts to vendors of offshore services	March 17, 2004	29 MoReg 533
04-10	Grants authority to Director of Department of Natural Resources to temporarily waive regulations during periods of emergency and recovery	May 28, 2004	29 MoReg 965
04-11	Declares regional state of emergency because of the need to repair electrical outages by various contractors, including a Missouri contractor. Allows temporary exemption from federal regulations	May 28, 2004	29 MoReg 967
04-12	Declares emergency conditions due to severe weather in all Northern and Central Missouri counties	June 4, 2004	29 MoReg 968
04-13	Declares June 11, 2004 to be day of mourning for President Ronald Reagan	June 7, 2004	29 MoReg 969
04-14	Establishes an Emancipation Day Commission. Requests regular observance of Emancipation Proclamation on June 19	June 17, 2004	29 MoReg 1045
04-15	Declares state of emergency due to lost electrical service in St. Louis region	July 7, 2004	29 MoReg 1159
04-16	Orders a special census be taken in the City of Licking	July 23, 2004	29 MoReg 1245
04-17	Declares that Missouri implement the Emergency Mutual Aid Compact (EMAC) agreement with the State of Florida	August 18, 2004	29 MoReg 1347
04-18	Accepts retrocession of federal jurisdiction over the St. Louis Army Ammunition Plant	August 25, 2004	29 MoReg 1349

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04-19	Implements the EMAC with the State of Florida, activates the EMAC plan, and authorizes the use of the Missouri National Guard	September 10, 2004	29 MoReg 1430
04-20	Reestablishes the Poultry Industry Committee	September 14, 2004	29 MoReg 1432
04-21	Directs the creation of the Forest Utilization Committee within the Missouri Department of Conservation	September 14, 2004	29 MoReg 1434
04-22	Requests health care providers limit influenza vaccinations to high risk persons. Orders various actions by providers, Missouri Department of Health and Senior Services, and Attorney General's Office regarding influenza vaccine supply.	October 25, 2004	29 MoReg 1683
04-23	Creates the Forest Utilization Committee within the Missouri Department of Conservation. Supersedes and rescinds Executive Order 04-21	October 22, 2004	29 MoReg 1685
04-24	Rescinds Executive Order 03-15	October 22, 2004	29 MoReg 1687
04-25	Rescinds Executive Order 03-27	October 22, 2004	29 MoReg 1688
04-26	Authorizes Adjutant General to recognize Noncommissioned Officers with a First Sergeant's ribbon	November 1, 2004	29 MoReg 1791
04-27	Closes state offices Friday November 26, 2004	November 1, 2004	29 MoReg 1792
04-28	Closes state offices Monday, January 10, 2005	December 6, 2004	29 MoReg 2256
04-29	Rescinds Executive Order 04-22	January 4, 2005	30 MoReg 147

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